

Why *The Nation* Sued

THE *Nation*

June 2, 1951

Japan's Peace Treaty

All Things to All Men

BY HESSELL TILTMAN

✱

German Labor Wins a Round

BY CAROLUS

✱

Peace: Rumor and Reality	- - - - -	<i>Freda Kirchwey</i>
The Story of Stuyvesant Town	- - - - -	<i>Joseph B. Robison</i>
Franco's "Last Days"	- - - - -	<i>J. Alvarez del Vayo</i>
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The "Fair Trade" Wall Crumbles	- - - - -	<i>Carey McWilliams</i>

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THE *Nation*

AMERICA'S LEADING LIBERAL WEEKLY SINCE 1865

VOLUME 172

NEW YORK • SATURDAY • JUNE 2, 1951

NUMBER 22

The Shape of Things

SENATOR WILEY OF WISCONSIN CONTINUES to pretend that neither he nor any other Republican had a political motive in investigating General MacArthur's recall. Considering the genuine danger to national security offered by the Russell hearings, this disclaimer is peculiarly unconvincing. Day after day high officers are being forced to disclose facts about our intelligence operations, our estimates of Soviet strength, and decisions of the National Security Council on how we would react to various contingencies. Day after day the mildly censored transcript of testimony is being filed to all the capitals of the world. We are not only washing our linen in public; we are stripping ourselves bare, exposing our ugliest domestic political quarrels, and turning over to everyone—friend or foe—detailed information regarding our intentions, strengths, and weaknesses. As Wiley disclaims political motives, Senator McCarthy charges that the ouster of MacArthur originated as a Communist plot, and other Republicans talk about "Truman's war" in Korea. Eventually the Republicans are determined to do a job on Secretary of State Acheson. Surely never in the history of free governments has there been such a spectacle. Congressmen who dwell at length on the casualties we have already suffered in Korea should examine their consciences to determine whether, in prolonging the Russell hearings, they are not inviting more casualties. *

FOREIGN SECRETARY MORRISON OF GREAT Britain has been extremely reticent about his visit to Germany, and Chancellor Adenauer has been no more explicit. But comments in the British and the German press suggest that German hopes were rather dashed by Morrison's attitude toward the Bonn administration. There are rumors that he did not mince his words in condemning recent evidences of Nazi tendencies. Since the elections in Lower Saxony the entire European press, especially, of course, the French press, has been full of warnings about the rapid revival of Nazism. American correspondents have also reported the facts but more casually; the emotion in this country seems to be infinitely less intense than on the other side of the Atlantic—presumably because we are now ready to accept any kind of ally against the Russians. The Lower Saxony vote confirmed a process apparent in previous post-war elec-

tions in West Germany: the shift toward the right does not stop at the line held by the old German conservatives but automatically goes a step beyond to take in the remnants of the former Hitler party. American experts console themselves with the fact that the S. R. P. (Socialist Reichs Party) obtained no more than 11 per cent of the vote and that it gained more in publicity than in real followers. But one has only to recall that during Hitler's early days publicity was his strongest weapon and that his vote in the early elections was ridiculously meager. The picture is still darker if one realizes that the heirs of Hitler are to be found not so much in the leadership of the S. R. P. or any other party as in the government departments, banks, and the great industries. This is a direct consequence of the peculiar way in which the denazification program has been conducted.

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THE LONG STRUGGLE AGAINST RACIAL discrimination in Stuyvesant Town (see the article by Joseph B. Robison on another page of this issue) appeared won when the Isaacs-Brown ordinance was adopted on March 14. But that very week the Metropolitan Life Insurance Company notified thirty-one families living in the project that they would face eviction on September 10. The heads of these families were leaders of the Town and Village Tenants' Committee to End Discrimination in Stuyvesant Town—people who believed in civil rights. The eviction notices are clearly reprisals against these tenants for their opposition to Jim Crowism in public housing. Originally the company tried to exclude tenants because of their race; it now proposes to exclude them for their social beliefs. The tenants who have undertaken the defense of the civil liberties of the thirty-one families facing eviction will doubtless be attacked next. The eviction notices have been sent to Protestants, Catholics, and Jews; Northerners and Southerners; men and women of the most varied callings and professions. Here is an issue for the National Committee Against Discrimination in Housing to consider when it holds its second annual meeting in New York on June 6.

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HEARINGS HAVE STARTED IN CHARLESTON, South Carolina, before a three-judge federal court on a petition which seeks to force the school authorities of Clarendon County to admit sixty-seven Negro children to the "white" public elementary and secondary schools.

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CROSSWORD PUZZLE No. 415

by Frank W. Lewis opposite 528

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The Nation, published weekly and copyright, 1951, in the U. S. A. by The Nation Associates, Inc., 20 Vesey Street, New York 7, N. Y. Entered as second-class matter, December 13, 1879, at the Post Office of New York, N. Y., under the act of March 3, 1879. Advertising and Circulation Representative for Continental Europe: Publicitas.

Subscription Prices: Domestic—One year \$7; Two years \$12; Three years \$17. Additional postage per year: Foreign and Canadian \$1.

Change of Address: Three weeks' notice is required for change of address, which cannot be made without the old address as well as the new.

Information to Libraries: *The Nation* is indexed in Readers' Guide to Periodical Literature, Book Review Digest, Index to Labor Articles, Public Affairs Information Service, Dramatic Index.

First raised at the graduate level in 1938, the contention that segregated schools are discriminatory was bound to be raised sooner or later with regard to elementary and secondary schools. Clarendon is a typical black-belt rural county, in which Negroes make up about 70 per cent of the population. The three judges are all Southern born and educated, and two of them—Judge John J. Parker and Judge J. Waites Waring—have consistently upheld the citizenship rights of Negroes; the third judge has had little experience with such cases. In a frantic effort to avert a test of this kind, South Carolina and Georgia have imposed a general 3 per cent sales tax to raise large sums for rural schools. Other Southern states will doubtless make a similar effort to provide "separate but equal" schools for Negroes. The bourbons gave the "poor whites" their present public-school system at the expense of Negroes, who were taxed to support schools from which their children were excluded. A sales tax to support a dual school system which pretends to equality can make segregation an extremely expensive luxury. Should the Supreme Court finally decide that Negro children must be admitted, state governments may carry out their threat to abolish the public school system. But the "poor whites" would then have to pay special fees to support white private schools while still being taxed for the support of Negro public schools. In either case, the bourbons' ability to manipulate the poor whites now faces a severe test in the Charleston trial, the outcome of which will be reported in *The Nation*.

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WE LEARN WITH PLEASURE THAT JAMES Schuetz, whose dismissal by the Bell Aircraft Company for "security reasons" was strongly protested in *The Nation* of May 5, has been cleared of all charges by the Industrial Employment Review Board which ordered him reinstated with full back pay. Since the charges against Mr. Schuetz amounted merely to variations on the theme that a militant union man was necessarily a security risk, this decision should be of great help in improving the morale of countless union members now at work in defense establishments.

★

THERE HAVE BEEN FEW TIMES IN THE PAST when the young people of a democratic nation have been challenged by so many obstacles to the achievement of social and political maturity. In their schools and at their jobs, from numerous agencies of thought control, they are under constant pressure to conform their ideas to "safe" patterns. Last year a civic-minded Chicago manufacturer wished to honor the valedictorians of his city's high schools and to encourage the intellectual curiosity which had won them academic honors. He decided to give each of them a year's subscription to *The*

Nation, and announced his intention of continuing the practice in the years to come. For its part, *The Nation* will present recipients of the award with a Certificate of Merit "in recognition of scholarly achievement and to encourage progressive thinking." Believing that the gesture was one of social vision and generosity, *The Nation* hopes that individuals and organizations elsewhere may wish to follow this example. We accordingly offer a special gift subscription rate of \$3.50 a year to those who desire similarly to honor the class valedictorians of their communities.

★

UTAH LIBERALS WHO RESENTED THE "SMEAR" tactics which were a factor in the defeat of Senator Elbert D. Thomas and Representative Walter K. Granger in the last election will be interested to learn that a federal District Court jury has returned a verdict of \$25,000 against the Utah State Farm Bureau Federation in a libel action brought by the National Farmers' Union. The case arose out of a statement issued in the 1950 campaign that the Farmers' Union was "Communist-dominated." Brought to Salt Lake City by the Farm Bureau were such indefatigable ex-Communist witnesses as Paul Crouch, Manning Johnson, and Howard Rushmore. These and other witnesses for the defense finally managed to identify four of the nearly 300,000 voting members of the Farmers' Union as Communists. Those interested in the background of the suit and in the new-fangled techniques used against political opponents should glance at a speech by Senator Styles Bridges on the Communist Invasion of Agriculture in the *Congressional Record* of September 7, 1950. Enjoying immunity from the libel laws, this speech encouraged if it did not inspire the attack on the Farmers' Union.

★

A TEACHERS' STRIKE IN PAWTUCKET CALLED by the Teachers Alliance (A. F. of L.) has closed the schools in the second largest city in Rhode Island and given 8,500 school children an unexpected vacation. Although the cost of living has increased 40 per cent in the last five years, no salary increases have been granted Pawtucket teachers, who now demand a \$410 cost-of-living bonus. The school authorities refuse to consider living costs in passing on wage demands, gravely insisting that any discussion of this item would be a step in the direction of "socialism." The strikers doubtless have as much relish for this overworked word as for the action of the authorities in discharging nine principals and eighteen assistants who refused to cross picket lines. The Pawtucket strike is merely one of many current manifestations of unrest and resentment among the nation's teachers. In New York the Board of Education has issued an ultimatum that a thirteen months' campaign of "passive resistance" to unpaid extra-curricular

work must end. Teachers who refuse to comply with extra-work assignments will be discharged for "insubordination," and, if necessary, the Condon-Wadlin "anti-strike" law will be invoked. Apart from the merits of the strikers' demands it should be apparent that communities can no longer deal with teachers in this high-handed manner. School boards are not elected to "fight" teachers, nor are they expected to solve the basic problems of the economy; their function is to provide for, safeguard, and improve the schools.

Genocide and Morality

AMERICAN failure to match the political leadership we are seeking to give the world with a moral effort of similar magnitude nowhere emerges more clearly and disturbingly than in the fact that we are not yet among the nations which have ratified the United Nations Convention against Genocide. The convention to prevent and punish the wilful destruction of racial, religious, national, and ethnic groups was adopted unanimously by the U. N. General Assembly in 1948. A multilateral treaty, it could acquire the status of international law for the nations adhering to it when ratified by twenty governments. Although President Truman urged its ratification by the Senate in June, 1949, its opponents succeeded in delaying hearings until January, 1950. On April 12 of that year the special sub-committee of the Senate Committee on Foreign Relations recommended its ratification with certain clarifying "understandings." Despite several requests by the President for Senate action nothing further has been done.

The delay unquestionably served to deter several countries from adhering to the convention. Fortunately, enough nations refused to take their cue from our government. By October, 1950, the required minimum of twenty states had approved the treaty, and when the convention went into effect ninety days later, on January 12, eight other countries had deposited their ratifications with the U. N. Six months after the effective enactment of the convention, however, its moral and symbolical significance is being seriously jeopardized by continued American failure to take favorable action.

When the convention was adopted by the General Assembly in 1948, it was hailed as one of the most significant achievements of the United Nations. To a world which had just witnessed the decimation and destruction of peoples, the convention seemed most expressive of mankind's aspirations for security, survival, and the banishment of human slaughter. Its adoption marked a major development in the imposition of law and order through international agreement and in the formulation of a code of international justice and morality. It gave impetus to those forces attempting to extend the opera-

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tion of law to other vital aspects of the relationships between nations. American inaction today threatens to wipe out those gains.

No convincing or acceptable explanation has yet been offered for that delay, although certain excuses have been invoked. Some states ratified the convention with reservations as to various provisions. Several months ago the International Court of Justice was asked for an advisory opinion as to the effect of these reservations on the contracting parties. American ratification, it has been reported, is being withheld pending such clarification.

There is ample reason, however, to suspect that such an explanation is merely a façade behind which opponents of the convention in this country and in Britain—whose government has not even submitted the treaty to Parliament for approval—are seeking refuge and time. Indeed, they may well have been responsible for the submission of the convention to the International Court as a delaying tactic. During the 1950 General Assembly there were persistent reports that members of the American delegation were privately declaring that the United States would not ratify the convention; this clandestine opposition aroused several Senators and Congressmen, and a number of organizations, among them the C. I. O., to voice their protests against the American delay.

Stripped of all legal and procedural camouflage, the issue is clear. The opposition to American ratification is rooted in the alliance of our racists and isolationists. The former are concerned lest the federal government's treaty-making powers should in some remote way be used to undermine the white-supremacy statutes in the South. The latter tremble at the thought of any qualification of American sovereignty by a multilateral treaty, whatever its objective. And both fear that Senate approval of the Genocide Convention may pave the way for other instruments of international law, such as the covenant on human rights.

But the situation is far from hopeless, precisely because the issues are so stark. The enactment of the Genocide Convention by the U. N. was the result much more of the pressure of public opinion than of the initiative of governments. Continued pressure can force favorable Senate action on ratification before the damage already caused by our inaction is irreparable. The President should be encouraged by a flood of communications to repeat his demand for ratification in order to strengthen the moral leadership we seek to exercise. Secretary Acheson should be urged to place the full weight of the State Department behind that request. And members of the Senate Foreign Relations Committee, and particularly its chairman, Tom Connally, should be firmly told that, whatever their views on military strategy, this country can afford nothing less than a full-scale offensive on the moral front. We must press that offensive through immediate ratification of the Genocide Convention.

Why The Nation Sued

ON MARCH 31 *The Nation* announced that it had initiated a libel suit against Clement Greenberg and the *New Leader*, a political weekly published in New York. The suit resulted from the appearance in the *New Leader* of a letter by Greenberg making false and extremely vicious charges against *The Nation* and its foreign editor, J. Alvarez del Vayo. The letter had previously been submitted to *The Nation* in two versions and had been rejected as untrue and libelous, with the statement that its publication elsewhere would be actionable. We repeated this to the *New Leader* when it notified us that it was printing the second version of the Greenberg letter. As soon as the issue containing the letter appeared we started suit against the magazine, Mr. Greenberg, and those concerned with the printing and distribution of the letter.

We have since received a number of communications, both friendly and critical, most of them asking our reasons for refusing to print Greenberg's letter and then taking legal action against him and the *New Leader*. The assumption of several writers, based on that journal's presentation of the Greenberg attack—featured under the heading, "*The Nation* Censors a Letter of Criticism," and accompanied by an editorial enlarging on the theme of censorship—was that we had deliberately suppressed criticism of our policies relating to Russia and communism. In effect they accused us of dodging a fight on the central and most controversial issue now facing this country and the world.

These correspondents obviously did not realize that until the complaint had been filed we were inhibited from discussing the suit in the columns of *The Nation* or in correspondence; to have done so, in fact, would have jeopardized the suit itself. Meanwhile, the *New Leader*, aware of this temporary disadvantage, has devoted several columns of each issue to "letters *The Nation* will not print," together with editorial comment to the effect that we had added to our original sin of "censorship" by resorting to a libel suit and then "censoring" protests against both. Now that the complaint has been filed, we are for the first time free to make a clear statement of our position. We are glad to publish this statement if only to relieve the minds of those readers whose letters suggest that they were genuinely concerned or puzzled. However, we have no intention of trying the case in the columns of *The Nation*. Had we thought the issue was one that could be debated in print, we would not have taken it to the courts. Every journal with a sense of editorial responsibility exercises discretion in accepting and rejecting letters for publication. Custom and common sense dictate certain criteria which are used in passing on letters as well as articles, and among these none is

more universally recognized than the condition that such material must not be libelous or defamatory. Yet several of our critics seem to feel that *The Nation* was under a moral obligation to publish a libelous letter simply because the libel was directed against this journal and a member of its staff. This seems to us absurd.

In instituting this suit we are fighting for a principle that includes, but greatly transcends, our own interest. The Greenberg attack was not directed against the views of either Mr. del Vayo or *The Nation* as such; had it been we would obviously have printed and answered it. But Mr. Greenberg explicitly disclaimed any such intention. The single point of his letter, as he was frank enough to admit, was to accuse this journal and its foreign editor of acting in behalf of a foreign power—in still plainer words, of being “committed” to the service of the Soviet government.

This accusation is unquestionably the most damaging that could be leveled, in a time like the present, against any institution or person. Under the terms of recent federal and state legislation and court decisions it constitutes a criminal charge, carrying with it the threat of drastic legal penalties and endangering the reputation and earning capacity of those attacked. Such a charge is literally unarguable. Even to publish and deny it would have the effect of condoning and spreading abroad a libel which was at the same time a false denunciation. To give the name of “censorship” to our refusal to print the Greenberg letter is to distort the entire meaning and purpose of that document.

No one who has read the pages of abuse and criticism of this journal which we have published through the years will honestly accuse *The Nation* or its editors of suppressing criticism or avoiding debate on political issues. But we propose by this action to establish the right of a journal or an individual to discuss in the freest terms any issue of public interest, including the most controversial, without being subjected to the threat implicit in the Greenberg libel.

Liberals were disgusted by the tactics of Senator McCarthy; disgusted by the spectacle of conviction through vilification. But McCarthy's success is registered every day—in the campaign against Secretary Acheson, the slurring references to Owen Lattimore in the Senate inquiry, the timidity and silence of college students and professors, the disappearance from radio and screen of liberal commentators or actors whose names have appeared on unofficial “lists.” This is the legacy of McCarthyism, and it continues to pile up.

One can expect, if not condone, reckless denunciation from a demagogue who has made witch-hunting his Congressional stock in trade; McCarthy and his kind are known for what they are. Is the McCarthy technique less deplorable when applied by a man or a journal that calls itself liberal? Certainly Greenberg and the *New Leader*

are not McCarthys; yet the very fact that they act under the banner of liberalism gives their charges a certain acceptability. They can even venture a note of sorrow over the necessity of assailing those they would prefer to love! Greenberg went so far as to cite his seven years as art critic for *The Nation*—1942 to 1949—as evidence of his right to expose our sins. Apparently it did not occur to him that readers would wonder how he had managed to endure in silence his long relationship with a paper whose policy was then what it is now and whose foreign editor was the same man.

A time is upon us when frightened men turn with venom to crush those whose views they hate. Victims of the witch-hunt multiply, and few are in a position to fight back. *The Nation*, we need not say, is going to continue to print what it believes without asking permission of Greenberg and the *New Leader*—or of the Russians either. And when attacked in this manner, it is going to fight back—for itself, for those who cannot risk a fight, and for the freedom its opponents seem bent upon destroying.

Peace: Rumor and Reality

BY FRED KIRCHWEY

THE turn of the wheel in Korea has brought about a flurry of peace rumors in Washington and the United Nations. They appear, suddenly evaporate in the face of official denials, and new ones are born. The State Department says explicitly that no Russian or Chinese overtures have been received; Ambassador Kirk, on his way home from Moscow insists that no hint of a Russian *démarche* has reached his ears. Still the stories flourish and the best information available supports the belief that Moscow has been sending out half-official feelers none of which has reached the stage of negotiation. Whether the Chinese are a party to these tentative moves or even approve them is not known. Whether the United States, behind a smoke screen of anti-Red pronouncements in Washington, is prepared to initiate talks, is equally uncertain. But one fact shines through the diplomatic fog: if the “limited war” in Korea is to end without burgeoning into an unlimited war, the moment to try to end it is now.

As these lines are written the United Nations forces are driving the Chinese-North Korean armies back for the third time across the Thirty-eighth Parallel. The Communists seem in full retreat and the dispatches report a terrible slaughter of Red troops. Once more the chance of a cease-fire depends on American initiative. Either we decide to hold back our forces, permitting a no man's land to widen between the contending armies, and then move quickly to try to establish a truce; or we choose the MacArthur strategy, maintaining the mo-

mentum of our advance and driving on toward the Manchurian-Russian frontier with all the threatening consequences such a move implies. The first choice is not only the sane one; it coincides with the strategy set forth in the testimony of Generals Marshall, Bradley, and Collins. In fact the single solid point of military difference between the Administration chiefs and MacArthur is on the question of directly attacking or threatening Chinese and Russian territory. Since the President's team is also on record as favoring attempts to end the fighting, one should be able to hope that General Ridgway—who first proclaimed the doctrine that a return to the Thirty-eighth Parallel should be accounted a full-fledged victory—would be instructed to try for a quick cease-fire. After all an early end to the slaughter is the single thing that can rally popular support to Truman's course over the course advocated by MacArthur. Immense political as well as moral and strategic stakes would be garnered by the Administration if an honorable peace were made now.

DO WE dare believe that this sort of wisdom will determine the government's decision? To say yes, without question, would be to ignore a good part of the extraordinary revelations that have been poured out in the open confessional of the Senate hearings; it would also be to ignore the speech of Assistant Secretary of State Rusk. If the President's witnesses have opposed a strategy that might enlarge the war and force Russia to come to the support of China, they have also, and even more emphatically, rejected the suggestion that Peking should ever be admitted to the U. N. or ever be allowed to take control of Formosa. Their objections to the use of Chiang Kai-shek's forces, either in Korea or against the Chinese mainland, were based strictly on the same practical considerations that dictated their decision not to bomb Manchurian bases. If the game were worth the heavy risks involved or the risks were smaller, they would have no hesitation, one gathers, about either invasion or bombing.

Rusk, of course, went much farther. The Assistant Secretary for Far Eastern Affairs used words that were universally taken as an announcement that the United States would have no dealings whatever with the government of Mao Tse-tung; not only would we not recognize it, we also do not recognize its existence. "The Peiping regime," Mr. Rusk said, "may be a colonial Russian government—a Slavic Manchukuo on a larger scale. It is not the government of China. It does not pass the first test. It is not Chinese. It is not entitled to speak for China in the community of nations." So widespread was this interpretation of the speech that European diplomats, who had acquiesced without protest—though also without enthusiasm—in Washington's demand for a U. N. embargo on war materials for Communist China, hurried to the State Department to find out what was going on. Did

the Rusk speech imply that the United States was committed to the overthrow of the Peking government, that peace in Korea must wait until Chiang's regime was re-installed in power in China? Did it mean an all-out crusade against communism in Asia? The State Department hastened to announce that the speech did no more than restate "the deep and long friendship between the Chinese and American people" and American concern for the "independence and integrity of China" and repeat such well known facts as our continued recognition of the Nationalist government and the aid we are sending to Formosa. But this statement received a polite brush-off in the European press. At best it was taken as evidence that American policy is no less confused and self-contradictory after the recall of MacArthur than it was before. In England, War Secretary John Strachey, without directly mentioning Rusk, put his government on record as opposing the implications of the Rusk statement. He rejected the idea of widening the Korean war and warned against "policies which produce disastrous results," pointing out that even an acceptable step such as the war-materials embargo might all too easily lead to a move to cut off all trade and intercourse with China, and thence to a blockade and finally the bombing of Chinese cities, thus "sealing the fate of Western man in Asia." Strachey asserted Britain's readiness to discuss a settlement with Peking at any time.

If the U. N. wishes to take advantage of the present favorable moment to try to end the Korean war it can do so in only one way: by dealing with the government of Mao Tse-tung. No words spoken by Mr. Rusk can change this inescapable fact. But more than that will probably be necessary. Even with its armies in retreat, even with Russia maneuvering for a settlement, Peking will hardly agree to negotiate without some assurance that its further claims will be considered. Last Wednesday Tass reported a Chinese Foreign Office statement promising to answer the "disgraceful and illegal [embargo] resolution by inflicting a crushing defeat on the American aggressors." At no time since the adoption of the resolution branding Peking an aggressor has that government even hinted at a willingness to accept a cease-fire. The most that could now be hoped for, in the opinion of close observers at the U. N., is a truce, arranged either through Russian intermediaries or between commanders on the field, accompanied by at least an understanding that Peking's admission to the U. N. would not be impeded by the United States.

Will the United States go even that far? The Rusk speech and the growth of MacArthurism in the Administration make it seem doubtful. The best hope lies in the obvious advantages the Administration might win by a quick successful move to end the fighting. For an end of the fighting is all that can justify the military strategy of limited war.

Notes from Capitol Hill

BY WILLARD SHELTON

Washington, May 24

FOR two weeks the Department of State has denied knowledge of Korean "peace feelers" from the Soviet Union. But Jacob Malik, head of the Russian delegation to the United Nations, did approach a member of the American delegation about two weeks ago. Today the chief Swedish delegate stated that a suggestion had been put forward, from an unidentified Soviet "source" and through indirect channels, that the Soviets would approve a "settlement" based on a cease-fire at the Thirty-eighth Parallel. The question which the State Department has been wrestling with is whether the "feelers" from the Kremlin are truly peace moves or a search for chinks in the armor of our determination—and perhaps, also, an attempt to weaken the impetus of Western mobilization. It is generally believed in Washington that the peace feelers are not genuine, but at the same time it is hoped that the Chinese, having failed again to drive the United Nations forces into the sea, may be willing to confer on ending the war.

The chance for a negotiated peace would be greater if the Administration could depend upon more stability of purpose in Congress and among political leaders generally. Another obstacle is the tendency of Congress to rely solely on guns and, when the tension relaxes, to start slashing appropriations even for guns. The House of Representatives only today finally voted to lend India \$190,000,000 in E. C. A. funds with which to buy grain to forestall famine. But at least the House bill did not include the Bridges amendment to the Senate bill, requiring "repayment" in manganese and monazite—an attempt to obtain a change in Indian law by coercion rather than negotiation. Before the House voted, the debate reached disgracefully low levels. Representative Allen of Illinois, ranking Republican on the Rules Committee, said that in order to pay our own bills we were having to consider taxes on "bubble gum and lollipops for children," and therefore he would not vote for the loan. He did not seem impressed by the fact that in India the problem is not the cost of "bubble gum and lollipops" but the lack of any food at all for children to eat. Representative Cox of Georgia, second ranking Democrat of the Rules Committee, argued that "sacred cows, sacred monkeys, and 10,000,000 sacred or professional beggars" would be given preference in distribution of the wheat. If Mr. Cox had any consciousness of the responsibilities which go with American power, he did not reveal it.

Mr. Truman's mutual-security program encounters similar difficulties. More than \$6,000,000,000 is proposed for direct military aid and only \$2,250,000,000 for

economic aid, and the economic recommendations are certain to be severely attacked.

In a remarkable report submitted two weeks ago the Committee for Economic Development warned that there are clearly defined limits to the armament burden that can be shouldered by Western Europe. The instability of the political situation in European countries and the shattering effect of the war on their economies, it asserted, make it impossible for them to divert as large a proportion of their production to defense as the United States or even Great Britain is able to do. While it recognized that it would be "expedient" for us to send more of our aid in the form of military products, the committee urged the United States to continue to supply civilian goods and services and free dollars. The report did not go as far as some critics have gone in charging that E. C. A. funds have not benefited the working population as much as the factory owners, that too little has trickled down to the bulk of the people. But it did point out that rearmament and security are not necessarily synonymous, that military preparedness is only a supplement to unity and stability of purpose, and that if rearmament should be pushed too far in Europe it would impair Europe's will to fight.

WHILE attention has been concentrated on foreign policy, the real-estate, oil, and other lobbies have been working quietly and effectively in Washington. The public-housing program previously authorized was slashed in the House of Representatives to a maximum of 5,000 units in the next fiscal year, and Mr. Truman has had to ask the Senate to revise the bill. The tidelands-oil lobby has put through a Senate committee a bill to renounce federal ownership of the oil in the marginal seas, the effect of which would be to repudiate by Congressional action two Supreme Court decisions. The president can veto the bill if it ever reaches his desk, but the committee vote indicates that the working unity of the oil-and-gas Senators is still powerful. About the only victory the Administration has scored in Congress recently was in the House Ways and Means Committee, which reversed an earlier vote in order to lessen the tax burden on families of smaller incomes.

THE Russell committee hearings on the ouster of General MacArthur have been such a flop, from the standpoint of Senator Hickenlooper, that he tried today to revive his own flagging interest by passing over the Joint Chiefs of Staff in order to get Secretary of State Acheson on the witness stand. The testimony of Secretary of Defense Marshall and General Bradley has given Hickenlooper and Senator Wiley of Wisconsin no comfort; Marshall and Bradley remain unshaken in their belief that MacArthur's insubordination forced Mr. Truman's action. So Wiley and Hickenlooper want no more

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soldiers; they are in a hurry to start roasting Acheson. Senator Russell has managed affairs so competently thus far that only Wiley is raising the cry of "whitewash," and the majority of Republicans continue to praise Russell's fairness, in contrast to the rough treatment meted out to Millard Tydings last year in the investigation of the State Department. Perhaps the difference is that last year the Republicans on the investigating committee included only Hickenlooper and Lodge, while on the Russell committee Lodge is backed by Wayne Morse, Saltonstall, Flanders, and Tobey. Even Hickenlooper may hesitate to cross swords with the astute Morse, who knows constitutional law and will not tolerate partisan smears.

Franco's "Last Days"

BY J. ALVAREZ DEL VAYO

AN ITALIAN industrialist now in this country, who was in Barcelona during the general strike, said to me emphatically "This is Franco's last day." I, more cautious, suggested he might better say "days," and he agreed smilingly. He based his conviction, he said, on "the extraordinary solidarity shown by the enemies of the regime" and the impressive self-confidence and self-control of a people which will not any longer be kept in subjection by force." Several times during our conversation, in the presence of European diplomats, he expressed amazement that influential officials whom he had met in Washington did not have the slightest understanding of the new Spanish situation and still talked of Franco's famous twenty-four divisions as if there had not been a Barcelona strike. But since this Italian visitor was in Barcelona, even more significant events have taken place in Spain.

A general strike in Madrid was announced for Tuesday May 22. It was canceled at the last moment, but the demonstration substituted for it provided ample proof that the movement of protest against Franco is well organized and controlled and can be expected to have far-reaching political results. With impressive unanimity the workers of Madrid, even those who lived in the suburbs several miles away, braved the threats of the government that they would be fired if they were late or absent and walked from their homes to their factories instead of taking bus, street car, or subway. Like the workers in Barcelona before the strike of March 12, they boycotted the transportation lines as a symbol of their protest against the rising cost of living.

The transformation of the announced strike into a "political walk" in obedience to the instructions of the committee gave people a strong sense of the workers' discipline; the strike itself, if it had been carried out, could hardly have had a greater effect. Police and army were kept on the alert for three days, though they were

not used; even under Franco people cannot yet be arrested or shot for choosing to walk rather than take a public conveyance. The leaders of the movement could not be distinguished from the other walkers, and mass arrests would have left the factories idle. As it is, the shortage of electric power has so greatly reduced production that the government cannot give itself the pleasure of cutting off the supply of workers.

The police and the army, kept on the alert for nothing, were made ridiculous, and ridicule is something that an authoritarian regime, especially one in Spain, can ill support. The people know that some day soon, when the government is not expecting it, strikes will break out in Madrid as they did in Bilbao, in San Sebastian, in Vitoria, and in Pamplona, and that then the authorities will have to yield, as in Pamplona, and negotiate the release of those arrested. Last Tuesday in Madrid, Franco was forewarned and would have welcomed disturbances which gave him an excuse to fire on the strikers in the hope of terrifying all workers into subjection.

It would be an exaggeration to say that the police and the army are beginning to fail Franco. The police system was "perfected" as an instrument of repression during Heinrich Himmler's war-time visit to Madrid and still contains a number of Nazi Germans who were trained in the Gestapo. The army has been the dictator's favorite child during all these years of scarcity. The budgets of the Departments of Interior and War have been steadily increased, while the Departments of Education and Social Welfare have been starved. But both the police and the army consist largely of Spaniards whose families go hungry just like their neighbors. All reports from the north of Spain agree that during the recent strikes in that area the police showed considerably less than their former ardor for defending the regime. In the army generals have grown rich while lower officers have fared no better than the average citizen, that is, very badly. But the very generals who five or even two years ago could augment their pay through financial operations of doubtful legality now find that such opportunities have dried up in the general economic drought. At the same time they foresee the possibility that some day the present fascist regime will be overthrown, in which event they would not want to be listed among the "murderers of workers."

In fact, it is interesting to note that many people who used to support the Franco regime are now openly or secretly seeking the friendship of the opposition. Former friends of Franco are beginning to discover long-buried liberal sentiments, and good relations with "reds" are being cultivated as insurance against the future. During the recent strikes people hunted by the police found refuge with families who a year ago would have delivered them up to the authorities. Contacts are being sought even with Republicans in exile. This develop-

ment is highly significant, and is as prejudicial to Franco as a violent strike, for it is undermining the basis of his authority.

The men who are closest to Franco do not know how to advise him. When the strikes in northern Spain interrupted his fishing trip and caused him to return hastily to Madrid, his ministers were divided as to whether moderation or severity would be the best course. Finally it was decided to try the supposed leaders of the strikes in fifty courts-martial in different parts of Spain. I say the "supposed" leaders, for the lack of definite information made it necessary to arrest men almost at random. Secrecy is an important element in the action against Franco. As a rule a Spaniard can take a bad beating, have a few ribs broken, and suffer unmentionable brutalities without betraying a comrade. The role of informer is not a popular one in Spain. The authorities have made their arrests blindly, and my sources of news tell me that none of the really important directors of the strikes have fallen into their hands.

To the despair of the government a number of leaders of the Falangist unions have aided the protest movement. This has confused some foreign commentators and caused them to report that the strikes were organized by the Falange itself. While this is not true, it is a fact that the Falange is split. Various anti-Franco elements have joined it by the order of opposition organizations and

are now contributing to the disruption of the whole fascist system.

The situation seems bound to develop fatally for the dictatorship unless it can be changed by massive American aid. Franco is therefore intensifying his efforts to persuade the United States to sign a bilateral pact if the objections of Great Britain and France delay the conclusion of a Mediterranean treaty. Official Madrid is also hopefully awaiting the new action promised by Senator McCarran in his much-discussed article in the *Saturday Evening Post*.

The United States can undoubtedly afford to throw away a few hundreds of millions in Spain. It may be willing to risk the profound resentment of the Spanish people while lacking any certainty that the money will buy effective military aid. But these dollars will not solve Franco's chief problem—the power and discipline which are growing in the camp of the opposition and declining in his.

Hitherto Franco's best argument, within Spain and in the Foreign Offices of other countries, for the indispensability of his regime has been that he represented order and stability as against the danger of a new civil war. Now the people of Spain are showing the world that they are capable of carrying out disciplined strikes and movements of protest while the Franco regime day by day reveals its incapacity to control the situation.

Japan's Peace Treaty

BY HESSELL TILTMAN

Tokyo, May 20

IN DRAWING up a Japanese treaty Washington's aim is twofold—to make Japan a strong, anti-Communist bastion in the western Pacific, and to provide it—by means of its own rearmament and the continued presence of American military forces in the Japanese islands—with the security which will enable it to resume its ordained role of the "workshop of Asia." The details of the American blueprint for peace which John Foster Dulles carried in his briefcase around the Pacific earlier this year are well known. Its key points are the restoration of Japan's full sovereignty, untrammelled by "control commissions," and recognition of the "inherent right" of the Japanese to rearm for self-defense.

Other matters have been largely decided by General MacArthur, who for three years has been steadily giving Japan back to the Japanese and "making peace in

pieces." During MacArthur's last months in Tokyo the "gifts" bestowed upon the Japanese included permission to have a National Police Reserve of 75,000 men—since organized into divisions and regiments and officered, trained, and equipped on military lines; removal of all limits on textile production; removal of restrictions on hundreds of Japanese firms formerly under tight SCAP control because of pre-war or war-time Zaibatsu connections; the opening of United States ports to Japanese ships; restoration of Japanese control over immigration and customs; an increasing voice in the control of trade, police, communications, and banking; permission to send an unofficial Japanese delegation to the United Nations; the placing of United Nations nationals in Japan under the jurisdiction of Japanese police and courts; the exoneration of 13,000 Japanese barred from holding public office because of past militarist or ultra-nationalist associations; and high-level consultations in Tokyo with both purged and unpurged Japanese leaders on the peace treaty. Concerning this last concession the *Nippon Times*, leading Tokyo daily, said: "The Japanese people

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cannot but express their gratitude for this unprecedented opportunity to air their views."

The process of steady decontrol in advance of a treaty was carried a long step forward by Lieutenant General Matthew B. Ridgway when he authorized the Japanese government to "review existing ordinances issued in implementation of directives from this headquarters for the purpose of evolving through established procedures such modifications as past experience and present situation render necessary and desirable." This latest SCAP "gift" to the Japanese, in addition to foreshadowing the early "unpurging" of all but 93,000 former military and ultra-nationalist élite, was widely regarded by Japanese officialdom as intended to "cushion" the sudden leap from occupation to full sovereignty, and thus to lessen the danger of a sharp swing of the political pendulum back to the bad old days.

By this time, there is little that other Western powers can do except sign, or refuse to sign, the treaty so uniquely arrived at. And, I may add, little that Russia or Communist China can do.

Since General MacArthur first declared on March 17, 1947, that Japan was ripe for a treaty, "peace" has become a popular catchword in Japan, meaning more things than are dreamed of in Mr. Dulles' philosophy. To the ultra-conservative ruling class in Japan, peace means a speedy return to "normalcy," that is, to the authoritarian state—the adaptation of some of MacArthur's reforms and the repudiation of others, the emasculation of the Japanese trade-union movement, and the removal of the SCAP "brake" on repressive measures against all leftists, Communist or non-Communist. To Japanese industrialists, peace means more American aid and the meshing of the American and Japanese economies to the greater profit of Japanese business. It also means the preservation of the sacred right of access to unlimited cheap labor. To the Japanese Communists, "partial" peace offers the hope of hitting back without SCAP and American military police breathing on their necks. To every living son and daughter of the Yamato people, peace represents the restoration of Japan's self-respect—the end of an era of being ordered around in their own country by aliens and the return of an era in which Japanese issue the orders, as an ancient, proud, isolationist, suspicious, sensitive people should.

DEMOCRACY in Japan has been imposed and controlled from above. One SCAP official said: "The Japanese Diet had better pass democratic measures. If they don't, we will soon make them." The extent to which the Japanese have accepted democratic forms of life and government will not be known until they have had a chance to govern themselves.

The omens are not too favorable. Three years ago a Japanese Prime Minister, discussing the future of the

reforms, said to me, "They are being implemented, but some will require to be revised and adapted to fit into our way of life." I was reminded of the Japanese general who in 1937 told me that the army was strongly in favor of parliamentary government, subject to the stipulation that all Diet members remembered that they had but one duty—to carry out the Emperor's wishes.

Even before the peace is signed, the Japanese trade-union movement (5,750,000 members) is under increasingly stringent control. Government workers—one-third of all Japanese organized labor—are barred from striking or collective bargaining. The government from time to time has banned labor demonstrations and meetings, and several of the top executives of Sohyo, the non-Communist General Council of Trade Unions, were arrested after workers clashed with the police in Tokyo on Constitution Day. The traditional May Day rally in the Imperial Palace Plaza was vetoed by the government. Repeal of the Labor Standards law, regulating wages, hours of work, and general conditions for workers, is being urged by industrialists. It is violated daily by employers in thousands of plants.

Even before the occupation ends, men whom it purged are coming back. The Osaka *Mainichi*, in an article on the changes that might be expected to follow General Ridgway's May 3 statement, said: "Just before or just after the conclusion of a peace treaty, persons in the categories other than 'A' will be depurged, with the exception of 'extremists.' The government is now scrutinizing measures to turn existing purge regulations into domestic regulations in preparation for their abolition."

The Yoshida Cabinet is itching to suppress Japan's Communist Party, and Japanese police officials admit that after the Communists have been driven underground, the only way to keep track of their activities will be by reviving the secret police—which raises anew the specter of "thought control."

After General Ridgway's statement, the *Nippon Times* reported that "among the laws and ordinances to be reviewed by the government at the proposed extraordinary Diet session will be the Trade Association, Economic Deconcentration, Anti-Monopoly, and Labor Standards laws, laws concerning the administrative reform of the police, and the purge ordinances." Thus the SCAP reforms which hampered the Zaibatsu bid fair to be the first that will fall by the wayside! A professor of Tokyo University recently put it this way: "Democracy has not yet taken root in Japan. The Japanese people still need to be convinced that it will improve their lives." A government official made the shrewd comment: "So far as the reforms are concerned, we have taken a hundred steps forward. Maybe we shall now take fifty steps back. But it is unlikely that we shall retreat all the way." If it is unlikely, the reason is not that Japan's ruling class and

industrialists have gone all starry-eyed about the glories of *de-mok-rass-ie* but that they are well aware the eyes of the world will be upon them during the early years of peace. They can be relied upon to reverse just about all that can be reversed without an international outcry.

The peace treaty will not decide the fate of Japan's new liberties or the future pattern of its foreign trade, nor will it allay the ever-present "menace of numbers." Japan's pressing need to export in order to maintain its already low living standards has been aggravated by the virtual stoppage of its two-way trade with Communist China and Northeast Asia. Today Japan is politically within the American bloc but economically still an integral part of a disrupted Asia. Whether it can ever become self-supporting while isolated from its "natural markets" across the Yellow Sea and from nearby sources of Chinese coking coal and iron ore is questionable.

Spurred on by SCAP, the Japanese have attacked their trade problems with a vigor which has tended to rekindle old suspicions. In the third quarter of 1950 Japan's textile exports exceeded the quarterly average of 1937, when the industry had three times as many spindles as now. And independent experts have testified that there are today few "quality goods" which the Japanese cannot turn out as well as the West—and at lower prices.

Apprehensions in Britain and elsewhere about Japanese competition are heightened by the density of its population. Some 84,000,000 people are crowded into the four main islands—an area equal in size to Montana only 16 per cent of which is arable land—and the number is increasing at the rate of 1,750,000 a year, with no outlet in sight. The economic threat is enhanced by the political one. If the British Commonwealth nations sign the treaty, it will be with mental reservations. Australians still find it difficult to accept General MacArthur's vision of a Japan that has "undergone the greatest reformation recorded in modern history."

THE mere approach to a peace treaty has highlighted many problems. The most serious is the disagreement between Washington and London regarding the role of Communist China in Asia. Some British observers believe that Great Britain could hardly consent to sign the treaty unless Communist China were invited to participate, but it is surely inconceivable that the United States would accept as a signatory a China that is waging war on Americans. One perceptive Britisher raised the point: "Is it likely that the Commonwealth would risk disagreement with India merely to gain the doubtful loyalty of the Japanese?" China's pride is apt to be overlooked by those who are intent only on tying Japan more firmly to the American bloc. An informed official who recently left Peking stressed that the Chinese Communist leaders sincerely believe that the United States has aggressive intentions toward Manchuria. It is

improbable, therefore, that they would sign any treaty embodying Mr. Dulles' ideas if they were asked.

Another difficulty is the insistence of the British that the many ambiguities and loopholes in the American draft of the treaty be cleared up; they demand for instance, that the Japanese be required to renounce the rights they hold under prior treaties—particularly the Congo Basin treaties, the Treaty of Versailles, and the Pact of Paris. And, finally, conclusion of a treaty between Japan and the United States will mean that the things which the Supreme Commander in Japan can now claim as a right must be negotiated for with a sovereign Japan—various possibilities being thus opened up for the skilful Japanese horse-traders. The Japanese may then raise bigger issues, such as the retention of American bases in Japan for the prosecution of the United Nations "police action" in Korea, and the even more delicate question of the eventual bombing of Manchuria from bases in a sovereign Japan.

Thus the coming treaty may make the whole Far Eastern situation more precarious and complex than ever. Given present tensions and confusions, however, it is doubtful whether anything would be gained by further delay. The indications are that the Western Allies will reach an agreement on fundamental principles. The rock on which the unanimity of the non-Communist members of the Far Eastern Commission may founder is that of the admission of Peking as a signatory.

Opinion in Japan has recently shifted toward bowing to the inevitable; recognizing that Russia will never sign a treaty acceptable to the United States, most people are prepared to settle for a separate peace. But no treaty which does not restore at least the Bonins, Ryukyus, and southern Kuriles to Japan will satisfy the nation. The Japanese press has been loudly claiming that Okinawa is an integral part of the homeland, on linguistic, ethnographical, and historical grounds, and publishing interviews with "authorities" to back up the contention. Unfortunately these islands also happen to be integral to the American strategic position in the western Pacific.

Intelligent Japanese, in the rare moments when they speak frankly, admit that so far as Japan's other lost territories are concerned, only Formosa and Manchuria really matter—Formosa as a storehouse of tropical products and Manchuria as a source of capital goods. They disclaim of course any intention of renewing ex-



BRANDEL
Prime Minister Yoshida

pansionism; and certainly the Japanese people, who have learned at bitter cost what happens when a nation overreaches itself, would oppose any such policy. But in the back of many Japanese minds lurks the idea that someday, somehow. . . .

It is unlikely that the Japanese—not excluding the trade unionists still plugging for neutrality—will actively oppose the granting of military bases to the United States. They know that the day after a treaty is signed, their country will be both sovereign and naked.

Two predictions can be hazarded. The first is that de-

spite some disappointment in Japan over the fact that the nation is not to be allowed to write its own peace ticket, the Japanese Diet will ratify a treaty which conforms to the Dulles outline. The second is that on the day after final ratification the eager beavers of Japan will begin working for the next objective on their master-list. The capacity to drive undeviatingly, regardless of setbacks and disappointments, toward the attainment of what they regard as their "manifest destiny" is a characteristic of the Yamato race which a dozen MacArthurs could not change.

The "Fair Trade" Wall Crumbles

BY CAREY McWILLIAMS

THERE is an old story in San Francisco about the lazy man who casually leaned against the wall of a building just as the first temblors of the 1906 earthquake began to shake the city apart. Looking about in amazement at the falling bricks and cracking walls, he is supposed to have muttered, "Guess I didn't know my own strength."

In the first of these articles on "fair trade"—in the issue of May 19—I pointed out that convergent pressures had begun to undermine the fair-trade laws of forty-five states. Two days after the date of the issue, the Supreme Court, in a six-to-three decision, held that the crucial "non-signer" clause of a state act was invalid. Under most state acts, the price fixed in the agreement between a manufacturer and a single retailer for the fair-traded item is made binding on all retailers, including those not parties to the agreement; hence the "non-signer" clause is vital to effective enforcement.

The case decided on May 21 originated when a New Orleans supermarket refused to go along with the minimum resale prices set by two national whiskey distillers and sold their whiskeys at substantial reductions—the fair-trade prices having been established in agreements to which the supermarket was not a party. Justice Douglas, for the majority, pointed out that the Miller-Tydings act did not turn over the whole problem of price handling to the states but granted only a "limited immunity" from the anti-trust laws. Studying the legislative history of the act, he was unable to find "that the distributors were to have the right to use not only a contract to fix retail prices but a club as well."

Narrowly construed, the decision holds that the non-signer clause of state fair-trade laws is invalid as applied to interstate commerce. Presumably manufacturers can still protect prices on branded products by obtaining agreements from all dealers, but as one manufacturer

pointed out, this might mean fifty thousand contracts instead of one contract in each of forty-five states. The effect of the decision, however, is not altogether clear. Liquor prices can probably be fixed by state legislation under the police power; fair-trade legislation is, after all, only one means of retail price maintenance. And the fair-trade lobby is almost certain to seek a broader immunity under the anti-trust laws.

Just what forces have been responsible for the revolt against fair trade which, bursting forth on many fronts since early 1949, has now made a major breach in the fair-trade wall? For a variety of reasons, fair trade has functioned more effectively in the drug business than in other lines, although cigars, electrical appliances, books, sporting goods, kitchenware, packaged liquor, jewelry, and many other items are widely "fair-traded." One of the difficulties with fair trade, as the retail druggists have discovered, is that it sometimes succeeds too well. Wide retail profit margins in the drug trade, for example, have encouraged "fence jumping," that is, the sale of drugstore items in other types of retail outlets. The outstanding development in the retail grocery business in California of recent years has been the expansion of supermarkets to sell drugs as well as groceries. Similarly some market specialists contend that the rapid growth in the number of discount houses in New York in the last few years is directly related to the level of the minimum resale prices maintained under various fair-trade agreements.

As profit margins widen, the number of retailers in a trade is likely to increase. Once this increase reaches a certain point, a clamor is almost certain to arise that the number of retail outlets should be arbitrarily limited—by special licensing enactments or similar measures. Where this has happened, as in the liquor industry in California, enormous political pressure is exerted in

connection with the scramble for licenses. Testimony before the Kefauver committee revealed that liquor licenses have been used in political pay-offs. Licenses obtained by favored individuals for wholly nominal fees have been immediately resold or transferred for sums as high as \$10,000 and \$12,000. And compulsory resale price maintenance plus limitation on outlets only steps up the demand for state liquor monopolies.

Another weakness of fair trade is that it can be effectively evaded by the development of "private brands." Certain department stores, for example, are said to offer as many as 1,400 items in this category. The practice doubtless accounts in part for the fact that not all manufacturers are enthusiastic about fair trade even in lines in which most items are normally fair-traded. At the same time the courts have begun to examine fair-trade acts from the point of view of sound public policy.

One of the opinions in a recent Florida case points out that the power to fix prices under fair-trade acts is vested in private persons; that no right to review the fairness of the price is provided for; and that no test or yardstick of fairness is defined. It has also been pointed out that the first fair-trade acts were upheld in the courts in an atmosphere of crisis and emergency which no longer exists. The inference, of course, is that today different conclusions might be reached.

THE proponents of fair trade seek to maintain a sharp distinction between voluntary and compulsory resale price maintenance; fair trade, they say, implies the former and not the latter. But the logic of fair trade seems to lead to compulsory resale price maintenance just as vertical price-fixing leads to horizontal price-fixing. Resale-price-maintenance contracts became mandatory in California for all distilled spirits in September, 1939, and in the following years in a number of other states. The liquor industry, of course, naturally lends itself to compulsory resale price maintenance since most states have a large force of inspectors who can check prices in retail stores. At present the liquor industry is seeking compulsory resale price maintenance in Colorado. The more the liquor industry agitates for compulsory legislation, the wider becomes the breach in the ranks of the fair-traders.

Critics of fair trade have pointed out that until quite recently fair-trade laws have been in force only during a period of steadily rising wages and that any recession in wages or decline in purchasing power would confront fair-trade retailers with "a much less placid situation." The transition from a seller's to a buyer's market could of course have the same result. This doubtless accounts for the fact that the first "cracks" in the fair-trade wall appeared in the early part of 1949 when business seemed to be entering that phase.

Violent disagreement exists over the effect of fair-

trade legislation on retail prices. The weight of economic opinion, however, supports the contention that fair-trading raises prices to consumers; in fact, one expert contends that fair trade taxes American consumers one billion dollars a year. It is significant that both the Department of Justice and the Temporary National Economic Committee found the Miller-Tydings amendment inconsistent with the Sherman Anti-Trust Act. "I find it difficult to believe," writes Dr. Joseph M. Klamon of Washington University, "that the drug retail lobby in putting over the Miller-Tydings act and in establishing the sanctity of wider retailers' margins was only concerned with helping the consumer and the manufacturer. This involves spending a vast amount of money . . . in the interests of sheer altruism."

The *Denver Post* reported on March 3, 1951, that liquor prices were 29 per cent higher in Colorado than in St. Louis, after making allowance for differences in freight rates and excise taxes. In a similar survey the *St. Louis Star-Times* found, some time back, that fifty-four fair-traded drug items cost an average of 16.2 per cent more on the east bank of the Mississippi than on the St. Louis side. It is probably true, however, that the initial effect of minimum, and uniform, resale prices in the drug trade was to reduce the cost of certain exorbitantly priced proprietary medicines and other items. And the fair traders unquestionably have a point when they contend that fair-trade laws are only one means by which resale price maintenance can be achieved.

Nowadays most major interest groups combine in one way or another to obtain a larger share of the nation's income—through political action, collective bargaining, mergers, or price-fixing agreements—but the independent retailers are exposed to greater counteracting pressures than most groups. Against the competition of manufacturers, powerful low-price, big-volume merchandisers, the more or less illicit "pineboard" price-cutters (in the drug business), and the discount houses (two flights up and turn to the left), the independent retailer finds it difficult to survive. Naturally he does not like to be listed as expendable in terms of "the larger social efficiency" or similar slogans. Both Holmes and Brandeis reflected the typical liberal concern with price-cutting as a weapon of monopoly in distribution. But while one may sympathize with the independent retailer and admire his political ingenuity, mass-production has its own logic.

This logic demands increased production at progressively lower prices. It is a harsh logic, for some, but difficult to avoid. Apart from the Supreme Court's decision, the fair-trade wall was crumbling, and enforcement could not have been maintained much longer. The court did not breach the wall; its decision merely announced the fact that it had been breached.

[This is the last of two articles on fair trade.]

The Story of Stuyvesant Town

BY JOSEPH B. ROBISON

IN 1943 New York City and the Metropolitan Life Insurance Company announced plans for the construction of a mammoth housing development in a slum area in Manhattan, to be built under the provisions of New York State's Redevelopment Companies law. The project, designed for some 25,000 inhabitants, was to be owned and operated by Metropolitan, but the city was to use its power of eminent domain to condemn and thus force the sale of the land in the proposed site, bounded by Fourteenth Street, First Avenue, Twentieth Street, Avenue C, and the East River Drive. The city was also to grant exemption from taxes on the improved value of the land; that is, taxes would be paid only on the value of the site at the time of condemnation. Finally, the city was to convey without charge certain land which it owned in the form of streets.

The purpose of this grant of assistance from the city was to provide moderate-rent housing. The tax exemption in particular made it possible to rent the planned 8,500 apartments at lower rates than could be charged in ordinary privately owned apartment houses. Accordingly, the agreement between the city and the Metropolitan Life provided that the company was to receive only a limited return on its investment. It also fixed the average rental per room at \$14 and provided that any increase required by rising costs would have to be approved by the city.

It soon became apparent, however, that the benefits thus assured would not be open to all qualified city residents. In May, 1943, Frederick H. Ecker, chairman of the board of the Metropolitan Life Insurance Company, held a conference with a special committee representing the Citizens' Housing Council of New York for the purpose of discussing some of the objections which had already been made about the Stuyvesant Town plan from the "planning" point of view. Someone happened to point out that no provision had been made for construction of a public school. Mr. Ecker explained that schools were omitted because if there were a public school in the project the city would allow some children, including Negroes, to attend from outside the area. About a week later a public hearing was held before the City Planning Commission which was considering the proposed contract. A reporter from the *New York Post* approached

Mr. Ecker on this occasion and asked him whether Negroes would be admitted to Stuyvesant Town. Mr. Ecker said that they would not be; in his opinion, "Negroes and whites don't mix." By the time the contract came before the Board of Estimate for final approval on June 3, the fact, thus casually disclosed, that Metropolitan intended to make Stuyvesant Town a lily-white community in the heart of the city had become a newspaper sensation.

At the hearing twenty organizations called for rejection of the contract, all but six because of the discrimination issue. Nevertheless, the contract was approved by a vote of eleven to five, largely because Mr. Ecker and Metropolitan's chief defender, Robert Moses, were wise enough not to state flatly that Negroes would be excluded. They insisted rather that Metropolitan had not yet established its tenant-selection policy, that it would not do so until it was ready to start renting apartments, and that all earlier statements were unofficial. Had Metropolitan admitted its intention to discriminate, the contract would probably have been turned down. Four of the eleven affirmative votes were explained on the ground that it was impossible to believe there would be any discrimination.

By a similar maneuver Metropolitan was able to defeat a taxpayer's lawsuit which was promptly started to prevent the city from going ahead with the contract. The suit was dismissed by the courts as "premature," since there was as yet no tenant-selection policy and hence no actual discrimination. Accordingly, the city and Metropolitan were able to proceed with condemnation of the land and erection of the buildings. In the spring of 1947 Metropolitan was ready to start renting and to make its policy of exclusion explicit.

The first skirmish in the renewed battle took place before the Board of Estimate, to which Metropolitan had applied for an increase in rents because of increased costs, as the contract allowed. A large number of organizations appeared at the hearing held in May to urge that the increase be denied unless Metropolitan agreed not to discriminate against Negroes. The Board of Estimate rejected that proposal and approved the increase on June 12, 1947.

On June 25 another effort was made to obtain from the courts a determination whether the United States or the New York State constitution forbade racial discrimination in this quasi-public housing project. The legal question was relatively simple. The constitutions unquestionably prohibit discrimination in public-housing

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projects—that is, in projects owned and operated by a governmental body. It is equally clear that they do not prohibit discrimination in housing built and operated by private citizens or corporations without governmental assistance. Stuyvesant Town fell between these two extremes, and the question was which principle applied.

THE complainants argued that the Stuyvesant Town contract must be viewed as an effort by the state to make moderate-rent apartments available to its citizens. It had done so by entering into a contract with Metropolitan. The apartments could not have been built or rented at a moderate rate if the state and city had not acted as they did. Therefore, it was urged, the benefits must be viewed as deriving from the state and city, and benefits so derived may not be dispensed on the basis of race. It was certainly plain that Stuyvesant Town could not have assumed its present form if the state and city had not acted. Not even Metropolitan could have put together a tract of eighteen blocks in the middle of Manhattan by ordinary purchase. Moreover, the tax exemption made it possible to rent the apartments at much less than Negroes and others would have had to pay for similar accommodations elsewhere.

On the other hand, Metropolitan was able to show that the argument outlined above might well go too far. Federal and state governments grant aid to private citizens in many forms. Where should the line be drawn?

The lawsuit was brought by three Negro war veterans who had applied unsuccessfully for apartments in Stuyvesant Town and by Shad Polier, a vice-president of the American Jewish Congress, suing as a taxpayer. It was sponsored by the American Jewish Congress, the National Association for the Advancement of Colored People, and the American Civil Liberties Union. It was dismissed by the New York State trial court where it was filed, and the dismissal was affirmed by an intermediate appellate court. A further appeal came before the highest court of New York State in the spring of 1949. On July 19, 1949, that court announced its four-to-three decision upholding Metropolitan's position.

The complainants then asked the United States Supreme Court to review and reverse the New York court's decision. Although their petition was filed in October, the Supreme Court withheld action until June 5, 1950, the day on which it issued its excellent decisions condemning segregation in the Texas Law School, Oklahoma University, and Southern Railroad Dining Car cases. It chose that day to announce its refusal, with two justices dissenting, to review the Stuyvesant Town case.

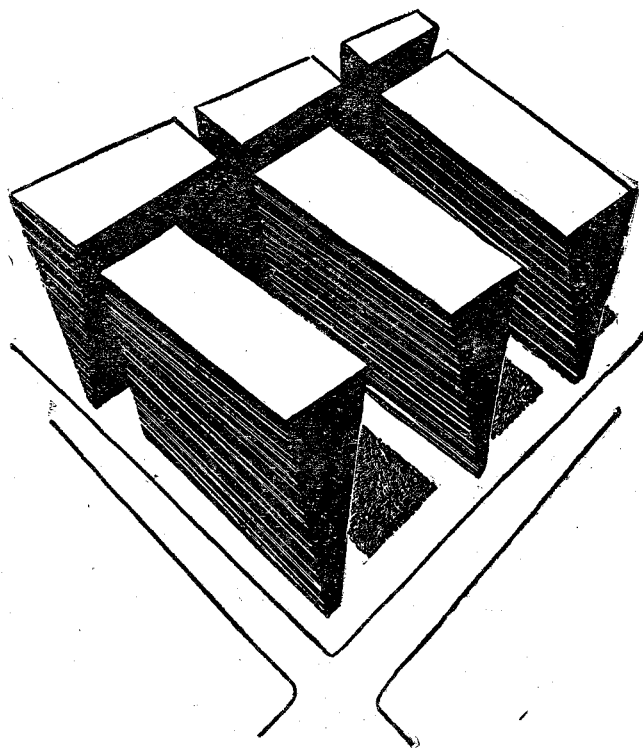
The next step in the struggle was one which had been plainly indicated by the New York court. In holding that the constitution did not prohibit discrimination at Stuyvesant Town, the court had pointed out that this was an area in which discrimination could be forbidden

by legislation. Even before the Supreme Court ruling, both the state and city had enacted laws prohibiting discrimination in *future* publicly assisted housing projects. This had effectively prevented repetition in New York of the tragic error at Stuyvesant Town. When the Supreme Court put an end to the court proceeding against Metropolitan, it became clear that the time had come to ask for legislation applying also to *existing* housing.

The campaigns for much of the previous legislation had been led by the New York State Committee on Discrimination in Housing, a coordinating agency formed by a large number of civic organizations. That committee now conducted the campaign for the new bill, which was introduced in the City Council by Councilmen Earl Brown and Stanley M. Isaacs on June 20, 1950, fifteen days after the Supreme Court issued its ruling.

At that point the waters were again muddied by a maneuver on the part of Metropolitan. The sponsors were persuaded to allow the bill to die when Mayor O'Dwyer announced that he had arranged to have the company meet with a committee which he would appoint in an effort to arrive at a satisfactory agreement. Shortly afterward Metropolitan announced that it had admitted a few Negro families to Stuyvesant Town but that it had not changed its view as to its absolute right to select tenants as it saw fit.

Mayor O'Dwyer never appointed his committee, despite repeated urgings. Nevertheless, the sponsors of the bill withheld action until O'Dwyer surrendered the mayoralty in September to become ambassador to Mexico. Then, believing that the admission of three Negro families to Stuyvesant Town failed to change its



Sellgren

character as a symbol of segregation, they reintroduced their bill.

The rest of the story is soon told. Metropolitan made half-hearted attempts to block the bill, and several New York newspapers issued editorial blasts labeling it "communistic." The charge fell absolutely flat, as few such charges have in recent years. The bill was approved unanimously by the City Council and with only one dissenting vote by the Board of Estimate. It became law on March 14, when it was signed by Mayor Impellitteri. The Mayor used the pen of the late Dr. Stephen S. Wise, who had been president of the American Jewish Congress when the long court fight was started.

At present it is not known whether Metropolitan will yield gracefully to the Brown-Isaacs ordinance or contest its validity in the courts. Hence the fight cannot be regarded as won. But it seems probable that the overwhelming public opinion which has been built up on this issue will be strong enough to prevent any last-minute frustration. Stuyvesant Town has taken on nation-wide significance. It has been the standard argument used all over the country by those who have

fought, frequently with success, for state and city legislation barring similar mistakes. It is unlikely that in New York City, of all places, it will be allowed to continue as the outstanding example of how redevelopment housing should not be handled.

It is important to remember that the popular outcry against Stuyvesant Town was built up around a vigorous effort to invoke the sanctions of law against Metropolitan's misuse of its position. Neither private pressure on the company nor generalized appeals to good-will and brotherhood had or could have had any effect.

The lawsuit described above was brought not only against Metropolitan but also against the city because of its participation in the contract under which Stuyvesant Town was built. The city, through its attorneys, appeared in court and actively defended Metropolitan's right to discriminate. On the same day that its legal branch was taking that action the city's subway system was carrying "good-will" advertisements, signed by Mayor O'Dwyer, saying that "restricted" was "an un-American word" and condemning landlords who refused to lease apartments to anyone not of their own race or religion.

German Labor Wins a Round

BY CAROLUS

Bonn, May 18

AFTER Germany's unconditional surrender in May, 1945, the German people crept out from the shelters and cellars where they had hidden during the terrible months of the Allied bombing raids. Starving, in rags, without a roof over their heads, they streamed toward their old places of employment. Most of them found only a heap of rubble. The machinery was a mass of twisted iron; foremen, engineers, owners had disappeared, expecting, as active or passive Nazis, to be shot or imprisoned by the Allied soldiers. The German workers, thus abandoned, saw that if they and their families were to live they must rebuild the factories and start the wheels turning. With a crust of bread to sustain them, they set to work, these men of fifty and sixty. Of the younger generation from three to four million had been buried where they fell; the survivors were in prisoner-of-war camps.

The men who had been kept at their jobs to turn out the sinews of war searched among the wreckage, collected the bits and pieces, and put together the machines. Parts were exchanged between plants. The currency was worthless, but reconstructed machines and tools could be

bartered for coal and raw materials. With the glass, housewares, and clothing thus produced, bread, fat, and potatoes could be obtained from the peasants. There was no longer a middle class, for there was no economic basis for its existence.

If it had not been contrary to the policy of the occupying powers, the long-oppressed and deceived workers, their eyes now finally opened, would have made a clean sweep of the Nazi criminals and profiteers and of the bourgeois dominance which had brought Hitler to power and had two world wars, two catastrophic defeats, and the ruin of Europe on its conscience. A different Germany would have arisen from the Germany of 1951. In the Germany of today, it is true, the index of production has been raised with the help of the Marshall Plan to 130 from the 100 of 1936, but the industrialists are again in the saddle and they have learned nothing and forgotten everything.

As exploitation and profiteering have been revived in this Germany of 1951, so have nationalism and neo-fascism, until conditions can well be compared to those of 1930, and even the Adenauer government is beginning to be worried. Being completely dependent on America for credits, foodstuffs, and raw materials, West Germany has been helpless before Washington's insistence on unrestricted "free enterprise," and in con-

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sequence the budget deficit and foreign debts are mountain-high. In February the supply of flour gave out, and in June there will be no more margarine unless the powers which are pressing for German remilitarization as a weapon in the cold-war between East and West hesitate to let the German masses starve.

The way this free enterprise works, the effect of the present relationship between wages and prices, capital and labor, on the lives of the people in the Federal Republic, is indicated by statistics compiled by the German Trade Union Federation. In May, 1950—that is, before Korea—7.6 per cent of the bread-winners of West Germany received more than 550 marks a month; 6.4 per cent between 400 and 550 marks; 22.1 per cent between 251 and 400 marks; 36.8 per cent between 101 and 250 marks; 27.1 per cent—principally pensioners, disabled soldiers, disabled workers, war widows, and the like—less than 100 marks, which means less than \$25 a month according to the official rate of exchange. Since the outbreak of the Korean war and the consequent rise in prices, the standard of living has fallen at least 25 per cent. Wages and salaries in industry have risen 130 per cent since 1936—but gross earnings have risen 330 per cent.

Because there is no planned investment policy in the Federal Republic billions of marks have gone into luxury buildings and luxury industries, which bring a high return, while the hordes of refugees and bombed-out people have to depend on charity for a place to live and for indispensable household articles. In the coal mines the machinery and equipment are so old and worn-out that output has been restored to only 85 per cent of the 1936 level; people refuse to invest their capital in an industry whose earnings are controlled.

THESE deplorable economic and social conditions lend tremendous importance to the law passed by the Bonn Parliament on April 11 granting labor an equal voice with management in the direction of industry. What does this famous *Mitbestimmungsrecht* amount to? And what will it accomplish?

On January of this year the German Trade Union Federation made labor participation in the direction of the coal and iron industries its chief objective. This decision was announced by the seventy-five-year-old chairman of the federation, Hans Böckler, one of the truly great figures of the German labor movement. A workman and union officer from early youth, Böckler had been mercilessly persecuted by the Nazis but had managed to find concealment and earn his bread as a woodchopper. In 1945 his character and experience made him the predestined leader of the newly created united labor organization, which now has five million members. Böckler knew that political democracy was worth nothing to the masses unless it was based on economic and social

equality. In 1918, after the catastrophe of the First World War, the subjects of the Prussian militarists became nominally free and independent citizens, but their hereditary masters were simply replaced by the more powerful industrial and banking magnates. The Kaiser was gone, but his generals remained to carry out the wishes of their economic overlords. The situation culminated in the Nazi regime and the Second World War.

The lesson of this for Böckler and the German unions was that they must fight for equal rights with the owners in the control of industry. At the beginning of this year the increasing impoverishment of the workers and the mounting social tension made the time ripe for action. The unions threatened the government with a strike in the Ruhr and if necessary a general strike unless legislation was introduced granting their demands. They knew that merely winning higher wage rates would be a hollow victory. Prices would promptly be raised twice as much, and more would be lost than was gained. The only solution was to obtain joint control of the production process.

The employers and the government capitulated before the threat of a general strike, and the government introduced in Parliament a law establishing "co-determination" in the coal and iron industry. Böckler was exhausted by the struggle and succumbed to a heart attack. On his death all the flags in the republic were lowered to half-mast, but he was no sooner in his grave than the industrialists and the government parties rallied to defeat his cherished law. "It's the rule of the rabble," they shouted; "threats of violence have been used to influence Parliament." Only the Social Democratic opposition supported the workers.

The struggle between the unions and the manufacturers' associations, between the Social Democrats and the government parties, continued till April 11. Dr. Adenauer, to his great honor, faithfully stood by his law, although two-thirds of his coalition deserted him. But after the death of Böckler, the unions lost their élan. The strike threat was not repeated, although 95 per cent of the membership voted to continue the fight. Around the conference table and in the parliamentary committees valuable sections were deleted from the law. All available artillery was brought up against it, not least some which the plant owners borrowed from abroad. The French High Commissioner, François-Poncet, in the name of his government, or rather of French heavy industry, demanded protection for "foreign investments" in German heavy industry. The Benelux countries officially presented similar *démarches*. A few days before the law was to be voted on in Parliament, two Americans interested in the future of the firms affected—Eldridge Haynes, president and publisher of *Modern Industry* (New York), and Alvah B. Wheeler, executive vice-president of *Magazines of Industry*—were appealed

to for help by the German owners. At a press conference in Bonn these men declared, as Gordon H. Michler, head of the German division of the United States Foreign Trade Council, had done earlier, that if the law was passed American capital would be withdrawn from German industry.

The following statement had already appeared in the March 15 issue of *Modern Industry*:

International-minded American business leaders, perhaps too late, are realizing what this [co-determination] would mean to the entire structure of West Germany and perhaps West Europe. Several outfits, principally the N. A. M., are beginning to protest out loud.

One of the most vocal opponents within Germany of the co-determination plan is Dr. Hans Mühlenfeld, Bundestag leader of the right-wing Deutsche Partei. Interviewed by *Modern Industry* last month, Dr. Mühlenfeld is pessimistic about halting, or even deferring, co-determination unless the Allied Military Government orders a halt to the legislation on the ground that it violates democratic principles.

This, Military Government could do easily enough if it weren't for the British. Undoubtedly the British Labor Party is in favor of co-determination in Germany. In fact, it was in the British zone that the labor-management trustee setup for the Ruhr industries was born shortly after the war's end.

Fortunately, the Military Government did nothing to halt Parliamentary action, and at midnight on April 11, after a dramatic debate, the law was put to a vote. The government coalition fell apart over the issue, but the Chancellor's own party, the Christian Democratic Union, with the help of the Social Democratic opposition, was able to muster a majority. The firm stand taken by Dr. Adenauer was probably not entirely disinterested, since a large proportion of the C. D. U. voters are Catholic trade-unionists in the Ruhr and the Rhineland. Most of the deputies representing middle-class interests voted against the law. Dr. Dehler, Minister of Justice in Adenauer's Cabinet, went so far as to say in a public address that the leaders of the unions and of the Social Democratic Party ought to be sent to prison for using the threat of force to get a law through Parliament.

The hysteria of the magnates and their henchmen is understandable. The law that the organized workers succeeded in passing is by no means revolutionary, but it does establish the principle that capital and labor shall share equally in the direction of industry. It is the first step in an evolution that can end, just as *Modern Industry* feared, in changes in the entire economic structure of West Germany and Western Europe. And these economic changes will have equally far-reaching political consequences. Labor's right to participate in the control of industry will be the lever by which greater things will be accomplished.

THE kernel of the new law is contained in its introductory words: "The workers shall have equal representation on boards of directors and on the bodies named to implement the board's decisions." This will work out in practice as follows: Every coal company and steel plant employing more than a thousand persons will have a ten-man board of directors, five chosen by the workers, five by the stockholders. One of the five workers' representatives must be a union officer. The whole board will choose a chairman—the famous eleventh man; if it is unable to agree, the chairman will be appointed by a federal court. The board of directors will then appoint a works superintendent whose job will be to oversee working conditions, sanitary installations, safety provisions, etc. The whole mining and steel industry will be supervised by a senate which will concern itself with wage disputes, rationalization measures, output, production techniques, and such large problems. The six members of this Senate must be experienced industrial leaders and union officials over fifty years old.

According to Georg Reuter, the present acting chairman of the Trade Union Federation, the effect of the new law should be increased production, a higher standard of living, elimination of the danger of war and of recurring economic crises. "Peace and full employment, stabilization of the economy, and security for labor" were the purposes announced when the workers were summoned to fight for the *Gleichbestimmungsrecht* in May, 1950. But the Parliamentary debate made it clear that the right of joint control and the economic democracy which will come with it are first steps toward democratic socialism.

A good deal of water will have run under the bridges of the Rhine before complete equality between capital and labor is achieved. The employers will try to control the boards of directors by dictating the choice of the eleventh man and by corrupting the workers' representatives. Before the new law was passed, they succeeded in altering the text so that it applies only to enterprises with more than a thousand workers instead of the three hundred originally agreed on by Böckler and Adenauer. However, it is the huge industrial plants which determine economic and social conditions in the West German state. The unions have already demanded that the law be extended to cover all industry, the railroads, and the postal service. That will come in time.

Now that the principle of joint control has been established, limits can be set to the operation of that free enterprise which in West Germany has meant ruthless exploitation and anarchic labor relations. And if labor understands how to guard and strengthen its newly won privileges it will be able not only to modify the system of private capitalism but to build a firm dam against the even more brutal and rapacious system of Soviet state capitalism.

BOOKS and the ARTS

Essays and Asides

THE SECRET LIFE OF EDWARD WINDSOR

BY F. W. DUPEE

WITH their famous subject, the Duke of Windsor's memoirs, "A King's Story"

(Putnam's, \$5), are inevitably absorbing. They are dense in detail, painstaking in their reconstruction of the past, often charming and witty, and as consistently honest as they could be, considering their rather too obvious intent of pleasing rather too many people.

To my mind they are also intensely sad, for their author is no free spirit despite his spectacular renunciation of public office. He professes to "draw comfort" from his marriage; at the same time he laments what that marriage entailed—"the sacrifice of my cherished British heritage along with all the years in its service." This balance of profit and loss he calls his "fate," describing himself as a "fatalist" by conviction. But surely it is a peculiar kind of fatalist who continues to argue with his fate as the Duke does here; and one recalls the cruelly perspicacious poem D. H. Lawrence once wrote about him in the years when, as Prince of Wales, he was busily touring the empire and attending barbaric native ceremonies in his honor. What would the jungle men and the elephants think, Lawrence asked, "if they knew that his motto was *Ich dien*? And that he meant it."

Ich dien means "I serve," and the author of "A King's Story" still serves—serves his memories of past misfortunes, his hopes of future vindication. In no sense a fairy story, his book in a political sense is not a "story" at all but an unrelenting defense of his life and work, indirectly an appeal for justice from the British people, perhaps a plea for reinstatement in some capacity among them. The Duke points to his long years of hard work as Prince of Wales; he makes clear how constraining is the monarch's position in a constitutional democracy. He argues that in abdicating he acceded, not necessarily to the wishes of the people but merely to the demands of the Baldwin circle.

Such is the Duke's defense, and to this reviewer it is not very convincing. Whether as morganatic wife or as queen, Mrs. Simpson would pretty clearly have represented an absurd challenge to protocol and tradition, an affront to the dominions, the risk of annexing the monarchy to café society. And what would the situation be today if, besides having to acknowledge American supremacy in arms and money, Britons had also to live with the thought of an American woman in Buckingham Palace or in some adjacent hideaway? Better the Waldorf Towers! Better for the monarchy and the British people. Better for the Duke himself, if one may be so graceless as to tell a man his interests and interpret his story in a fashion contrary to his designs.

For although the Duke is ostensibly respectful toward the monarchy, he actually makes out a pretty bad case for it considered as something for a man to live with, especially a man of the Duke's English generation, for which a split notoriously developed between the claims of the public life and the claims of the private life. "Politics is the profession of the second-rate," Charles Whibley once wrote; Lytton Strachey resolved ancestral heroes into their idiosyncrasies as men and women; and only the other day E. M. Forster remarked that "greatness is a nineteenth-century perquisite." Clearly the Duke was once under the same spell as these typical English writers of his time. It is here that his "story" comes in and that it is seen to have the dignity of vivid truth, the fascination of being representative. For all the unique eminence of its hero, its theme is the now familiar one of spiritual dispossession. In writing his memoirs the Duke has realized his old aim of becoming one of us.

The Duke's father, George V, was a conscientious king, an exacting parent,

and a profoundly simple man. He combined the monarchic with the domestic virtues of everyone's

satisfaction; and he thus made very much his own a position which is at once supremely magnificent in name and utterly powerless in fact. At worst there was, from the son's viewpoint, a failure of warmth on the father's part, a necessary sacrifice of family feeling to the observance of court routine and the ritual slaughter of animals in the hunt (Edward was to prefer golfing and riding to hunting). Upon this situation, not especially threatening in itself, alleviated for the Prince by his mother's unfailing tenderness, burst the war of 1914 with its terrible consequences for the stability of English society, for the youth of Edward's generation, for monarchism throughout Europe, for the prestige of authority everywhere. Yearning to share the dangers of war with his contemporaries, Edward was obliged to observe them from a fairly safe distance. His sense of guilt on this score was unreasonable—no one seems to have expected him to fight—but it was nevertheless acute, and it made him tend to blame the monarchical system.

In the years that followed he could at least make up for his deficiencies, partly by sharing the frank pleasures and new freedoms of what was left of his generation, partly by pursuing conscientiously his prince's career. Now, in retrospect, he concedes scarcely more than Lawrence did to the amiable legend of him as the wild prince of the twenties. Instead, he recalls mainly his princely ordeals. The din of interminable parades and speeches still sounds on his page. One feels the horror entailed in the daily exposure of himself to vast crowds in which the mania to touch his person was intense and the risk of panic and death, including his own death, was always imminent. One experiences the vanity and folly of local officials, the oppressive smugness of a Stanley Baldwin who, though invariably

"correct," seems to have been intent on imposing himself, whether by treating his prince to long monologues or by obliging him to listen to the endless cracking of the ministerial fingers. Among the portraits of his former "subjects," as distinguished from those of his family, that of Baldwin is the most elaborate in the Duke's memoirs, where it serves the symbolic purpose of showing that the subject is in fact the predicate. Evidently Edward could not say, like his great-grandmother, "I am not amused."

Whether as prince or king, he is the captive of his position. The monarchy is a symbol of the past glories of absolutism; it can also serve as a reminder of the fact that absolutism was vanquished by the people. So long as he accepts his present state the royal personage is like a god; once he oversteps, "mixes in politics" even to the extent of saying "something must be done" to a group of unemployed miners, he is like Bajazeth in the cage provided for him by the conquering Tamburlane.

The Duke's response to this situation appears in the little things he remembers as well as in the broad outlines of his career. Images of oppression and disintegration are congenial to his mind. He recalls the suffocating smell of mothballs in the robes of state, the distress of the musicians shut up in an airless hole at Windsor Castle, the jeweled cross that got dislodged from the royal crown and fell to the street during his father's funeral procession. Where the rest of us dream of glory, Edward dreamed of the commonplace. He dwells happily on those remembered moments when he or others—for he is constantly aware of others—asserted themselves, possessed themselves of something. He remembers the time when his grandmother, Queen Alexandra, escaped her retinue and motored to Sandringham alone. He remembers how Henry Hansell, the tutor of the royal children, used to withdraw briefly every morning and stand alone on a low hill in the Sandringham grounds. For all its precious porcelains and Leonardo drawings, what he recalls most pleasantly about the Windsor Castle of his childhood is the launch which his parents acquired, like any bourgeois family of those years, and in which they went for excursions on the Thames. His father he pictures as

sitting, at the point of death, wrapped in an old worn dressing-gown that someone had given him. His mother—who is here not at all the formidable Queen Mary of legend—is exclusively associated with the intimate and the domestic, now presiding in the nursery at the bedtime hour, now taking inventory of the family properties at Windsor.

In the thirties, as the empire tours fall off, the Prince takes to remodeling for himself a half-abandoned residence ("The Fort") on the Windsor grounds—like so many others in those years, he "fixes up an old house" in token of a desire to settle down. And presently there is Mrs. Simpson, whom he appreciates for "her American charm and energy" and because, like a Henry James heroine, she talks back to him. Ironically, he begins by admiring the gay cultivated life she *shares with Simpson* in their London flat, where the company, the conversation, and the cooking are of the best. And in possessing himself of her, does he not make the act doubly meaningful by taking her from another? Finally the abdication and the famous radio address. He is able at last to speak as an individual and in his own idiom; and he reprints the speech entire in his memoirs, noting that, save for two interpolations suggested by Churchill, it was entirely his work. "And now we all have a new King!"

The Duke's account of the abdication crisis is likely to become classic in the literature of memoirs. No master plotter among novelists, not even Henry James, could have invented a richer "situation" than the one that develops at this point. There is enmity without and treachery within; good motives are abundant on all sides; everyone is tested to the full; and the action never flags, for no sooner has Edward decided to abdicate than a King's party materializes, led by Churchill and Beaverbrook in an adventurous mood, and he is tempted to resist. Meanwhile Mrs. Simpson is throughout the story not actually divorced but only in the process of divorce; if she wished it herself or should be persuaded to it by others, she could at any moment halt the divorce proceedings and so relieve the crisis, at least momentarily. Finally, on the part of the main protagonist, there is the

compulsive innocence without which the plot would have been impossible in the first place. "I wish," Mrs. Simpson said to the King toward the end, "that I had had a clearer understanding of the constitutional questions." "I must take the blame for that," the King replied, "I thought it could be managed."

Only in the aftermath of the story does one feel a lack of the inevitability proper to good fiction. As one reads between the lines, takes note of the agonies of self-justification, feels the nostalgia for England and "The Fort," guesses how much England's recent grandeurs and miseries must have added to its stature in the Duke's eyes (as in everyone else's), one cannot but see that another ending was possible. This was a renunciation in reverse of the one actually effected by Edward, a forfeiture of private happiness, a sacrifice by which he might have secured his personal hold on the throne, made it emotionally his own, and then confirmed the transaction in the course of the common sufferings of himself and his subjects in war time. But to point this out is worse than graceless, it is unrealistic; for the hero of "A King's Story" is no Henry James hero after all and his story is not a novel. It is an instance, perhaps, of what James used to call "life at its stupid work," and as such it is not without pathos and beauty.

The First Freedom

THE BATTLE AGAINST DISLOYALTY. By Nathaniel Weyl. Thomas Y. Crowell Company. \$3.75.

UNHAPPILY, the word "disloyalty" covers a multitude of sins—and other things. That is especially so in the popular use of the term today. At one end of the scale it is applied to proved war-time espionage against the government. At the other end it is applied to the proposed filming of "Hiawatha"—because he sought peace among the Indian tribes!

The present reviewer belongs to that large group of citizens who have always understood that treason and revolution are real and hateful facts, in the present as well as in the past; and who believe that our government, with the active support of its citizens, should do its best to prevent or punish treasonable and revolutionary acts. He also belongs to

another group—somewhat smaller, but almost entirely composed of members of the larger group—who know that the attempt to prevent or punish treasonable and revolutionary acts frequently expands into an indiscriminate threat to civil liberties; and who believe that the maintenance of those civil liberties demands active allegiance, even in times of crisis.

We want national security and public order, on the one hand; and we want a free people, on the other hand. We cannot be completely satisfied on either hand. All we can do is try to find the best possible combination, in each set of circumstances.

In that search we must progressively learn to distinguish the various kinds of "disloyalty" and to analyze the various methods which have been used—or are proposed—for dealing with them. For that task Nathaniel Weyl's new book—taking it all in all—seems to this reviewer to add greatly to the sorely needed resources of historical perspective, detailed information, and balanced judgment.

As a background for his consideration of the methods employed in this country to deal with the Nazi and Communist dangers of the last thirty years, Mr. Weyl devotes a hundred fascinating pages to a résumé of what was done between the birth of the nation in 1775 and its coming of age in 1920. He naturally and rightly devotes considerably more of his attention to treason than to revolution, and he gives us a preponderantly clean bill of health with regard to our observance of the "rule of liberty and of law" during those years when we were growing up.

Throughout most of American history the temper of the people has been to distrust law-enforcement agencies, to confine the power of the state to a bare minimum, and to prefer even revolution to anything smacking of despotism. It was only when the United States plunged into the maelstrom of European conflicts and found itself facing conspiratorial organizations, which were in essence mere forward columns of a foreign enemy, that the need for a complex federal organization to investigate, expose, and secure the punishment of disloyalty became evident.

In dealing with the current Communist danger Weyl emphasizes the criminal problem highlighted by the recent espionage cases. His treatment of this

problem and the methods employed to deal with it is a lucid and devastating reply to the argument that domestic Communists constitute no threat to our internal security and a reassuring summary of the counter-measures which are effectively administered by the FBI and other law-enforcement agencies within a comprehensive structure of criminal law—developed throughout our history and continuing to develop today.

When Weyl turns to the ideological and propaganda problem, though he remains objective and temperate and reasoned, he is much less exhaustive in analysis, and much less anxious about the curtailment of civil liberties than this reviewer would like him to be. For example, he feels that the House Un-American Activities Committee was saved from the forces of bigotry and irresponsibility by the efforts of Mundt and Nixon and its present chairman Wood, and that it rendered immense service in making the nation at large aware of the conspiratorial character

of the Communist movement. A vigorous demurrer can be entered, in these terms: The discoveries which the committee has made are insignificant when compared with the expert and relatively quiet work of the FBI and other law-enforcement agencies in ferreting out present and continuing treason of a deadly character. And the cost exacted by the committee's inroads on the most fundamental freedom of all—the freedom of expression enshrined in the First Amendment—is incalculably large, much larger than a free people can afford to pay.

Again, for example, Weyl draws an analogy between the requirement of the Internal Security (McCarran) Act of 1950 that Communist and Communist-front groups label their publications as coming from such groups and the requirement of other laws that food ingredients be listed and financial information be disclosed by corporations for the protection of investors. Such an analogy seems to obscure a vital distinction

Donnelly
Bryan
Altgeld

Midwestern Progressive Politics

By Russel B. Nye

Coxey
Norris
La Follette

MICHIGAN STATE COLLEGE PRESS

East Lansing, Michigan

416 pages \$5.00

The Grangers and Greenbackers, Ignatius Donnelly and Sockless Jerry Simpson, William Jennings Bryan and Fighting Bob La Follette, Woodrow Wilson and F.D.R.—all take their places in this panoramic view of the progressive spirit in American history. Comparing the political philosophies of Theodore Roosevelt and of La Follette and his colleagues, the author shows the distinctions between the Eastern variety of progressivism and its Midwestern counterpart, which, for all of the limitations as well as strength of an essentially regional movement, he regards as an expression of the American tradition of unrest and protest against social, economic, or political injustice.

tion: the dissemination of *ideas*—even those regarded as stupid or pernicious by the great majority of us—has always, in the American tradition, been accorded more freedom than that granted to any other activity. It is not for nothing that the First Amendment embodies the first freedom! And a peculiarly frightening precedent is established when the government starts applying *discriminatory* labeling requirements to the dissemination of ideas emanating from certain sources.

At the end of his introductory chapter Weyl writes:

Many of the old American liberals, who regarded the clear and present danger as their gospel in the quiet decades between two world wars, believe that the United States is now trending in the direction of some sort of police state. They forget that clear and present danger is, of necessity, a two-edged sword and that there are therefore times, such as the present, when the balances must be heavily weighted toward security as against liberty.

Well, this reviewer is only a middle-aged American who is temperamentally not a viewer-with-alarm and who recognizes that even specialized guardians of civil liberties must take account of other social values. But a good deal of experience in Europe from 1924 to 1947, especially seven years of contact with the refugee problem, gives him the right to worry about the health of civil liberties in the social climate of America today. So, while recommending this book, he suggests for companion reading "The Loyalty of Free Men," by Alan Barth.

PATRICK MURPHY MALIN

PR and Democracy

EUROPE BETWEEN DEMOCRACY AND ANARCHY. By Ferdinand A. Hermens. University of Notre Dame Press. \$4.

WHAT is the relation of party government to electoral systems? Generally this question has been treated as a technical one, but in the book under review it looms as the all-important problem now confronting the democracies. Much of the book is devoted to a trenchant criticism of proportional representation, in both its theoretical and practical aspects. In a thorough analysis of the application of PR in continental

Europe since 1919, the author comes to the conviction that its results have been politically disastrous wherever it has been applied on a national scale. In some countries it has led to the disruption of parliamentary government and to the establishment of a dictatorship.

An election, according to Hermens, is primarily a "dynamic political process," not a device to register the "opinions" of the electorate. As government by majority is the vital principle of democracy, the prime function of electoral machinery is to make the will of the majority clear and unmistakable. This is precisely what PR fails to do. By repudiating elections by majority or plurality this "mathematically excellent" scheme of representation confuses issues and throws out of gear the parliamentary system based on a responsible government and a responsible opposition. PR has had its greatest appeal in the countries of continental Europe, where the multi-party system flourishes. And the reason is that each group, by having its maximum representation in parliament, can exercise pressure to be recognized in the formation of a ministry.

PR has aggravated the evils of multi-party government by enabling every special interest, every lunatic fringe, to concentrate its followers into a compact, well-disciplined, and well-organized political group. Such a collection of unrelated, intransigent minorities has made more difficult than ever before the formation of a bloc to support a ministry. Hermens is at his best in describing PR as the heaven-sent opportunity to Communist and fascist parties. Always and everywhere minorities, these parties would not succeed in winning as many seats under the majority system as under PR, of which they have naturally been stout defenders. According to Hermens, these enemies of democracy are quick to exploit the advantages to them of PR, by means of which they plan to induce paralysis in the government in preparation for their seizure of power. He explains how parliamentary government, demoralized and discredited by PR, was easily overthrown by Mussolini in Italy and by Hitler in Germany. In France it has weakened the Fourth Republic by causing a dispersion of the anti-Communist majority. For that very reason

France has just revised its PR electoral system by restoring majority elections.

In his zeal to discredit PR, Hermens sometimes proves too much. He asserts that it was the "vital element" in the advent of the Nazis to power. In the last elections under the Weimar Republic the Nazis alone received about 44 per cent of the popular vote. The Hitlerites were lunatic all right, but they certainly were not a fringe. The vital causes of the Nazi triumph lay deep in the history of Germany, not in any electoral system, however bad. Nevertheless, Hermens has made a distinct contribution to the study of politics by his searching exposure of PR as an electoral system inimical to the efficient functioning of democratic government.

J. SALWYN SCHAPIRO

Poule de Luxe

RENEE. By H.-R. Lenormand. Translated from the French by Frances Frenaye. Farrar, Straus, and Young. \$3.

IT IS somewhat ironical that the late H.-R. Lenormand, after a life-long career as a dramatist with a substantial international reputation, should now be reintroduced to American readers by a novel, his first and probably his last. (A posthumous work is reputed to be in the hands of his agent.) In the period between the two world wars Lenormand stirred Parisian avant-garde audiences with a series of plays delving into the subconscious motivations of their characters. His tortured, vacillating, and often psychopathic heroes and heroines moved in an atmosphere of Baudelairean evil. And like Baudelaire, who in the companion field of poetry sought through eroticism an insight into the enigma of life, Lenormand tried continually to identify himself with an amoral system which searched for an explanation of man's destiny in the doctrines of Freud and the influence of exotic environments.

With the outbreak of World War II, when he realized that his controversial plays had little chance of being produced, Lenormand abandoned the theater to work on his autobiography, the first volume of which was published in Paris in 1949, almost simultaneously with his novel, "Une Fille est une fille,"

now offered in a very readable translation by Frances Frenaye under the less provocative title of "Renée."

Set against a background of life in France under the German occupation, "Renée" tells the story of a prostitute in love, an erotic theme which has often attracted Lenormand the playwright. Renée's deliberately chosen way of life accommodates itself without any pangs of conscience to accepting German officers as clients. However, she soon falls in love with a starving young artist recently released from a German prison camp. Pierre is irresistibly attracted to her, but he suffers from her ingenuous disregard of the ordinary concepts of bourgeois morality. As the conflict between the lovers deepens, Lenormand probes into the complex nature of Renée's personality with almost conspiratorial intimacy. Opening his action in the rubble-strewn ruins of Rouen and moving in quick succession to Paris, Biarritz, Marseilles, and the resort towns of the Riviera, the author skillfully evokes rapidly shifting scenes of mood and tempo, whether he is describing a bar in Montmartre frequented by colleagues of Renée's, analyzing the burgeoning of her love for Pierre on the sun-drenched beach at Biarritz, or recounting the exciting crossing of the line of demarcation into unoccupied France in a blinding rainstorm and under a hail of bullets from German sentries.

Pierre's change from a state of political amorphousness to a growing awareness of the developing Resistance movement is reflected in the colorful setting of St. Tropez as the German dragnet starts to hunt down Frenchmen for forced service in labor battalions. Despite his increasing sense of shame over his spineless role as a kept lover, Pierre, like many a vacillating hero of Lenormand's plays, lacks the will to make a concrete decision. As the menace of arrest and deportation grows, Renée comes to the painful realization that Pierre will not desert her to avoid capture. In order to fill him with revulsion at her conduct, she pretends that she has turned over to the Gestapo a list of young Frenchmen in the underground. The climax of the action comes with her determination to leave him as the only way to force him into the comparative freedom and safety of the *maquis*.

The story closes with Renée once again submitting to the yoke of making love for a living.

In this first attempt Lenormand reveals decided gifts as a story-teller, and at times the episodes in "Renée" take on the suspense of a James Cain thriller. It is to be regretted that he did not turn sooner in his career to the full-length novel.

EUGENE J. SHEFFER

A Musician in Russia

TAMING OF THE ARTS. By Juri Jelagin. Translated from the Russian By Nicholas Wreden. E. P. Dutton and Company. \$3.50.

MOST Russian artists who are now able to write of their lives and their ideals fled the Stalin regime in its early faltering years and so suffered but little from the pressure of politics. Juri Jelagin's testimony stands almost alone as a book of personal reminiscences about a later crucial decade, 1930-40, in which an artist, in this case a musician, observed and experienced the impact of the Soviet policy of the gradual extermination of the arts.

In 1930 Jelagin was nineteen years old; a student at the Moscow Conservatory, just released from prison—his father was a pre-revolutionary industrialist—therefore disfranchised and permitted to work only as a substitute. Later, with regained citizenship, he became a permanent member of the Vakhtangov Theater Orchestra.

His life was the life of the theaters, the conservatory, and professional orchestras, and his account of it is filled with characterizations and tales of celebrated artists of that time. It is full, too, of the struggle to keep privileges, standards, artistic freedom, and at the end the very right to be a musician. He came to this country from a D. P. camp in 1947 and is now a member of the Houston Symphony Orchestra.

His book is even-tempered, almost too much understated. A good deal of the material is amusing—the flower-pot controversy, the contest for a new march and its performance at a May Day parade, a New Year's party at the Kremlin, a picnic for A. Tolstoy and Tolstoy's dinner for his daughter's fiancé, the fraudulent provincial operas, the "great" composer Dunayevski who plagiarizes his music even from "Caro-

lina Moon." The ridiculous, puerile nature of the minor events might heighten the terror of actualities if the book were differently organized; but as it is, against the funny anecdotes which bulk so large in proportion, the censure of Soviet reckless destruction is a bit diminished. This is perhaps unavoidable in an informal memoir; the full-scale judgment is more in keeping with a documented study, and Jelagin offers here his personal evidence.

Woven through the amusing incidents is a survey of the gradual stifling of

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free expression, first in writing, then in the theater, and finally in music. The earliest great threat came in 1934 from the first Convention of Soviet Writers, which turned Gorki's recommendation of socialistic realism into a doctrine and a weapon—"the most tragic event in the history of Russian culture." Writers must express the official Soviet view of life; theaters must conform or be closed or merged. By 1936 the ideological attack had come to music, with Shostakovich's "Lady Macbeth" as the principal target. The enemy, as in the other arts, was something indefinably elastic called "formalism." The Moscow Conservatory, previously the only institution not run by the party, succumbed at last, and the conversion of art to propaganda—or rather its obliteration—was final.

Jelagin points out three main stages in the vacillations of the prohibitions against art. The psychological came first: Stalin's hyperbola, "Life is better. Life is gay," encouraged light music and jazz to relieve the sordid effects of the First Five-Year Plan.

The second stage came when the

fashions of the "Kremlin court" and Stalin's taste had become fixed. This meant playing mainly vocal music—operas or cantatas with a "politically immaculate story," in the style of folk songs, with no discords or "formalism."

And third was the fact that music and performers functioned as international apologists for the terror and death in Russia; they were an "export" which obscured under the splendor of music the awful cries behind the border. By 1948 there was no need to apologize to the world; the world war was over, Stalin and Company were strong enough to do as they wished, and the ax finally fell on the few fine composers who had been allowed some liberty.

HUBERT CREEKMORE

Public Poems

NONES. By W. H. Auden. Random House. \$2.50.

THIS new volume of poetry by W. H. Auden, his first in four years, is in subject and texture much like his previous work. These are public poems; one has come to expect from Auden poems whose point of view is "we," signifying at the same time humanity and that small portion of it which notices and deplores the predicament of our destructive society. On these pages we find ourselves in an exceedingly unpropitious world of barbed wire and fallen cities, futile learning, sterile philosophy, bitter love. We find ourselves among generals, executives, statesmen—all bent with demonic will upon our destruction. Sometimes we help them, sometimes we resist. But we never get away from them. A few poems are almost personal, the ones that celebrate a special neighborhood and a private desire. But even these—I shall speak old-fashionedly—retain the moral, a public hatred of the force that crushes private things. It is compelling because it is public, because it is exhibitionistic. The poet says: Look at this goodness which is about to die, this beauty who shall be murdered. We are attracted, not repelled, because the poet possesses—and uses—very great cleverness and very great understanding.

The poet's feeling is subtle and variable. In some poems his bitterness nearly breaks; the lines are in peril of

shattering into uncontrolled invective or helpless derision. In others the poet spins through the sardonic ranges to satire, to burlesque, almost to buffoonery. Yet the same cleverness and understanding keep each poem under control. The satirist's art demands an incredible rigor of personal discipline; the satirist must be deeply involved, yet capable of a saving detachment; he must be humane, yet capable of cruelty—even to himself. Who but a Swift could deride his own death and the world's concern for it when the shadows of a fatal insanity were already darkening his mind? One feels that Auden has achieved something of this same control. He has achieved it—at what price, one trembles to consider—in the midst of a poetic tradition of high romance, where anxiety and personal guilt are forces of genuine power. Like Byron, he has succeeded in turning these forces to the satirist's account. Partially succeeded, at any rate, for one notices here and there a hesitancy to confide the personal crisis—a hesitancy Swift would not have admitted.

There is a new element in these poems, the religious element which we first saw unclearly in "Age of Anxiety." It is still unclear. But this is not a deterrent. The failure of "Age of Anxiety" lay in the poet's presumption that an extensive poem would declare and delineate his belief. In these poems the belief is taken for granted; it is a fundament which one spies only from incidental references, supporting the poems and informing them. One is inclined to hope that the poet will not again feel stirred to put his private investigations into verse.

The most surprising aspect of this new volume is the amount of formal experiment in Auden's recent work. There are, of course, the old forms that we are used to, the casual exfoliations of standard pentameter, the incisive lines of trimeter, the ballads, the complex stanzas. The most obvious experiments are those with rhyme, especially with internal rhyme. Unfortunately, they are almost all failures. Part II of *Memorial for the City*, for instance, contains such a banging dose of haphazard internal rhyme that the words din against our ears, destroying all the wit and perspicacity. And there are

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poems that upset the certainty of style which we have known to be Auden's in the past. There is one poem (*Their Lonely Betters*) that reminds us of Frost, another (*The Duet*) that sounds a little like Stevens, others that seem suggestive of younger poets we can identify. These are not bad poems, and one would be foolish to insist that they actually represent "influences" on Auden's work. This is simply a way of saying that the new poems are diverse and marked by several voices, some clearer and surer than others.

In the end, one says that Auden is a magnificent poet. His failures are the thoroughly honorable ones that scholars will one day regard as unfortunate but not un instructive. Young poets who publicize them now to gain critical prestige are liable to the gravest charges. In this new book are poems of incontrovertible excellence: *In Praise of Limestone*, *Pleasure Island*, *Cattivo Tempo*, *The Duet*, *Under Which Lyre*, *A Walk After Dark*. Two poems I found unreadable—Part II of *Memorial for the City and Music Is International*. The rest vary, of course; but all of them are examples of genuine feeling and craftsmanship in a time when the corruption of sensitivity and the abuse of language are the daily occupations of countless men.

HAYDEN CARRUTH

Books in Brief

INDIA AFIRE. By Clare and Harris Wofford, Jr. John Day. \$4. Two young Americans, enthusiastic World Federalists, spent some six months in India during the hot and the rainy seasons of 1949, with a few days in Pakistan on their way home. Their interest was in economic and social problems; they paid brief visits to areas of village and urban disturbance, centers of rulership, and party meetings, and had a number of interviews with prominent personalities. Their report is immediate and personal rather than historical and analytical, and is full of shock, indignation, and reproof for the country and its leaders. The most interesting parts are those describing the authors' stay in the Communist-dominated districts of the Hyderabad state and giving their impressions of the leaders and prospects

of the Socialist Party, which they regard as the hope of India in place of the decaying Congress. They repeat at some length and with implications of credence the notion, which is especially popular in Bengal, that Subhas Chandra Bose, "Leader" under the Japanese of the "Indian National Army," is not dead but will return to head a social and political movement. Their remarks on Pakistan are still less analytical than those on India. They close their book with a summons of the world to "prayerful action" (Gandhi's phrase).

UNCLE SAM'S ACRES. By Marion Clawson. Dodd, Mead. \$5. Over a billion acres, 71 per cent, of the original public domain have been sold by the federal government or granted to states and to railroads; 402,000,000 acres remain in its possession, plus 56,000,000 acres of Indian lands for which it is trustee—a total of 24 per cent of the area of the United States. In six states more than 50 per cent of the land is federally owned. This book by the director of the Bureau of Land Management in the Department of the Interior tells how our public lands have been acquired and disposed of, and how they are at present used and administered. A clear and comprehensive report.

THE CLOSING OF THE PUBLIC DOMAIN. By E. Louise Peffer. Stanford University. \$4.50. An illuminating supplement to the Clawson volume is provided by this detailed survey of the constant and often acrimonious struggle of the last half-century between advocates of private and public ownership and use of our federal lands. Today the public domain is closed to private acquisition and the battle rages now over the terms and the extent of its use by private interests. The complexities of the issues and the vastness of the stake have given the struggle some of the aspects of an old-fashioned melodrama, with our appointed officials tending to take the role of heroes and our elected officials of villains.

STEVE MATHER OF THE NATIONAL PARKS. By Robert Shankland. Knopf. \$4. A third book in this field, less useful and less interesting than the other two, is the somewhat journalistic biography of a Chicago business man

who, as head of the National Park Service from 1915 to 1929, was largely instrumental in developing our parks for the use and pleasure of the public and in fighting off encroaching predators.

ROBERT BURNS. By David Daiches. Rinehart. \$3.50. A study of Burns as a poet which discriminates discerningly between his strengths and his weaknesses. Professor Daiches's own Scotch background enables him to treat with special insight the relations of Burns to Scotch national literature, Scotch bawdry, and Scotch folk-song. The effect of his book, however, is somewhat diffuse and repetitious: Burns's verse epistles, for instance, have their excellences, but there are a good many of them, they are much alike, and so are Mr. Daiches's comments on them. Yet if Mr. Daiches doesn't altogether succeed in concentrating and ordering his case for Burns, the book does send us back to the poetry with a strong feeling of the very special claims on us of, say, "The Jolly Beggars," of the best of the songs, of dramatic monologues like "The rantin dog, the daddie o't" or "Tam Glen."

Records

B. H.
HAGGIN

A FANTASTIC operation" was my guest's comment as we left the Metropolitan after Ballet Theater performances of Balanchine's "Theme and Variations," Herbert Ross's new "Thief Who Loved a Ghost," and Roland Petit's new "Le Jeune Homme et la mort." "You get," he continued, "a distinguished work of art as a curtain-raiser for a piece of the most unutterable balderdash ever seen on the stage, and for a Grand Guignol shocker" (we had left in time to miss Tudor's "Gala Performance"). And other programs I saw could have been characterized in the same way.

"Theme and Variations" continued to be used as a curtain-raiser—twice for Agnes De Mille's worst work, "Fall River Legend," once for her "Rodeo," of which I find the portions concerned with the story tiresome and embarrassing, and only the few moments of straight dancing still enjoyable. Moreover, the

Balanchine piece retained its distinction despite performances in which it was blurred by the unprecise work of the corps, and only the dancing of Alonso and Youskevitch was excitingly brilliant and beautiful (Moylan was less effective). It is true that some of the older ballets came out even worse. There was a lifeless performance of Tudor's "Romeo and Juliet," with Alonso an exquisite Juliet and Youskevitch a new Romeo giving the part more beauty of movement than Laing but none of Laing's youthful intensity. And there was an equally lifeless "Swan Lake," with Alonso straining too hard for grandeur (as Moylan did in a "Nutcracker" pas de deux). But on the other hand there was a beautiful "Les Sylphides" in which Moylan danced with quiet distinction of style; a beautiful "Giselle" with Alonso and Youskevitch; an excellent "Billy the Kid" with Kriza.

And in addition to "The Thief Who Loved a Ghost" (a shocking disappointment of the expectations aroused by "Caprichos") new works were presented which, if they weren't the most un-

terable balderdash, were not of much, or of any, consequence. That holds for "Le Jeune Homme et la mort," a characteristic Petit product in its combination of sex and brutality, its shock-after-shock method, which acquired importance only from the fact that it employed, and was the means of revealing, the extraordinary powers of the dancer Jean Babilée. More obvious were the powers in violence which produced the spectacular spins and leaps, the no less spectacular acrobatic feats in slow motion; more extraordinary were the powers in quiet—the power of personal projection and compulsion that he exercised in a quiet movement of his extended arm, or when he was not moving at all. The most impressive moment in his own ballet "L'Amour et son amour" and one which has remained most vividly in my memory was the one in which he stood, spotlighted on the dark stage, with arms circling slowly in a series of *portes de bras*.

But most impressive of all was his performance in the "Blue Bird" pas de deux; for this was a standard piece in which one had seen brilliant dancers more suited to it in physical appearance and style—Youskevitch, for one—and one could appreciate the new and special thing Babilée made of it with his own and special resources. He hasn't Youskevitch's slimness and elegance, but is short and chunky; he either hasn't or chose not to try for the exciting elevation of Youskevitch and other dancers in the first leaps; but he has the extraordinary power of personal projection and compulsion I have mentioned; and what was exciting in his performance was the operation of this power without interruption. There were none of the usual passive moments—of waiting to begin, or of withdrawal for the ballerina to do her series of pirouettes; instead, from the moment the curtain rose until it fell—whether he was dancing, or preparing to dance, or moving behind Koesun as she danced (very beautifully)—he was active continuously, powerfully, in a way that placed the performance among the things one is glad to have been alive to see.

Mercury's recording of Bach's great Passacaglia and Fugue played by Ernest White on the organ of the Church of St. Mary the Virgin, New York, gives

us the work and performance (too matter-of-fact at the end) blurred and obscured by reverberation (the Pastorale in F is also on the record). And Jeanne Demessieux's erratic performance of the Toccata and Fugue in D minor (dubbed, with a bad break, from the previously issued 78) and her stodgy performance of the Prelude and Fugue in D on the organ of St. Mark's in North Audley Street, London, are not clearly reproduced on the London record (with a Franck Pastorale and Fantaisie). On the other hand, the performances of the Trio Sonatas Nos. 1, 3, 4, and 6 by Robert Noehren on the organ of Kenmore Presbyterian Church, Buffalo, on Allegro records are beautifully clear, but the works are quite uninteresting.

Organ and orchestra are not well integrated in the Poulenc Concerto that Biggs has recorded for Columbia; and the mere sound of the organ in Symphony Hall and the sound of the string orchestra conducted by Burgin are like oil and water. On the reverse side are Franck's *Pièce héroïque* and Prelude, Fugue, and Variation, of which the charming Prelude, which should be played simply, is played with portentous distentions.

New to me, and for the most part very fine, are Frescobaldi's "Fiori Musicali," of which Volume I is performed by Robert Noehren on the organ of Grace Episcopal Church, Sandusky, and reproduced clearly on the Allegro record.

CONTRIBUTORS

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Letters to the Editors

The Knolls Defended

Dear Sirs: In your March 24 issue, Manny Farber criticizes Hans and Florence Knoll for catering to snob and show-off. Hans and Florence Knoll work on the three most difficult design problems in the world, in the realm of useful objects. The first is to design a good chair. The second is to design and make it in the United States. The third is to design and make it as part of a coherent and handsome furniture ensemble.

In doing this the Knolls fought Grand Rapids. They fought those heart-breaking limitations of our production process and our price structure which inhibit refinements that are easy in Europe. They became guilty of what is a crime in some art circles: they succeeded.

There are some things in the Knoll shows which readers of *The Nation* should be interested in—things far too obvious for your writer to mention. One is the reimportation of that Thonet cane-seated "restaurant" chair which has been the most durable bread-and-butter piece and perhaps the most satisfactory modern classic. Another is the actual production of Mies van der Rohe's very elegant Barcelona chair, a luxury item at the other end of the design spectrum. Then there are the premises themselves, at 575 Madison Avenue, which solve a complicated display problem with such cheerful deftness and economy of means that unless you're an expert, you would never know it was a complicated problem.

Let us cheerfully admit that they may owe something to the "constructivists of 1920." I am not convinced any more that every year has to bring in a new tradition, or that where a designer got an idea is half as important as what he did with it. I say that it is your critic who is the snob on the premises.

DOUGLAS HASKELL

New York, May 6

Who's a Snob?

Dear Sirs: Mr. Haskell is guilty of dodging when he defends Knoll by praising everything but the designs themselves. I strongly disagree with his preliminary assumption that a good

chair is only as difficult to design as a good coffee cup, automobile, or girdle. And I doubt that Europeans like Neutra, Brueur, Gropius, Mies would have migrated to the United States if it "were the most difficult [place] in the world" for designers to produce "inhibited refinements" that are easy in Europe. I too like the Thonet and Mies chairs, but they are from the '20's; Knoll must be judged on the some hundred items that it had a hand in making. If Mr. Haskell will reread my article, he will discover that my criticism of Knoll was based on the use to which the international style had been put.

What could be more snobbish than a letter that suggests it is critically un sporting to attack a financially successful firm like Knoll? For further proof of snobbery, Mr. Haskell uses the term "Grand Rapids" the way some people use the word "Hollywood." For myself, I have spent many happy hours in my father's Morris chair.

MANNY FARBER

New York, May 18

"Labor Frame-up"

Dear Sirs: The trial of J. B. Nathan, a farm-labor organizer in Napa County, charged with "defrauding" a second-hand-car trader has stirred rural California for the last month.

Nathan's record, according to the transcript of the trial, showed his participation "in an anti-war strike when on the Berkeley, University of California, campus." At that time, in 1935, he was a member of the Norman Thomas Socialist Party. When arrested, "he was carrying a sackful of literature in a foreign language," and furthermore, he "had protested against being arrested without a warrant."

All the clichés of labor frame-ups were dragged out by the prosecution—forged documents, tampered documents, using license from a car reported stolen and recovered by the San Francisco police on a car he thought he had bought on a conditional-sale contract. The prosecution also appealed to the prejudices of the jury by pointing out that the defendant, who was conducting his own case, was "an argumentative man" and had a "bad attitude to employers."

As a result, Nathan was convicted of

"stealing" a car because he had been unable to make any payments on it (even though it was always breaking down) and because he had worked without pay last year to raise relief for striking California farm workers.

The Socialist Party has not given him any assistance because he is no longer affiliated with it. Unions in California, however, have adopted resolutions asking Attorney General Edward G. Brown to make an investigation of the case.

Whether this is an attempt to eliminate an active and articulate spokesman for the distressed, and exploited farm workers of California or to discredit an opponent of a new war is not apparent at this stage of the game. Yet it concerns all liberals and defenders of civil liberties.

ARTHUR RANSOMB

Napa, Cal., May 7

When Free Men Fear

Dear Sirs: Our nation was born in the belief that force should not govern. Yet the heretical system of force is returning to our nation by degrees, trying to herd all original thinkers into concentration camps.

Communism is a theory that can be stretched to mean "each according to his need." Yet it is a makeshift for slavery. Our democratic system for the sovereignty of the individual as protected by our Constitution founded on Magna Charta is the only method of organized government that leaves to the creative faculty of man and his capacity for production the necessary freedom to grow. Politics and government in a democracy, machines or no machine, are subordinate to this necessary freedom for individual growth.

Furthermore, in the structure of our government *all* controls are corrective, not preventive. In a society of contract like ours, framed by statesmen who were inspired architects of a social order, all other controls must prove subversive if not destructive. Government, therefore, may not initiate or lead. Government can only execute policy, correct or punish the individual.

The harm this Communist harum-scarum by government is doing us is enormous. By perversion of our own Constitution we have put our own faith in constant peril—not from without but from within. Fear which is thus raised

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and exaggerated by politicians to scare and huddle the sheep is doom enough. What is it these rams (politicians) in the ram pasture (Washington) really want? Ask any citizen (the sheep) and mark the answer. Mine is on the record.

When a McCarthy can exist in our country, our politics cry out for revision. Why not stand by the Constitution—speak up? What a man thinks is his own. What a man says is still his. Only a man's acts concern government.

I ask my fellow-citizens: which is most dangerous to our democratic system of free men—a sociological idiot like a Communist or a political pervert like a McCarthy?

As for our oppression by the military incubus we inherited from Roosevelt "leadership," why not ask military men to listen to Napoleon, the supreme exponent of their craft? His last days on earth were spent in anguish, trying to understand, he said, "why force could never organize anything." "A nation taking men out of its fields," he said, "to make soldiers of them is defeated before it starts to fight." What would this supreme advocate of force say of a nation taking its children out of school to make soldiers of them on suspicion of aggression?

Actual aggression is one thing. Imaginary aggression is quite another—especially if used to bolster a national economy or used by officious politicians to scare free men into war with serfs. Nothing can be so demoralizing to the free man, nothing so deadly, as the free mind afraid of the servant mind.

FRANK LLOYD WRIGHT

Phoenix, Ariz., May 10

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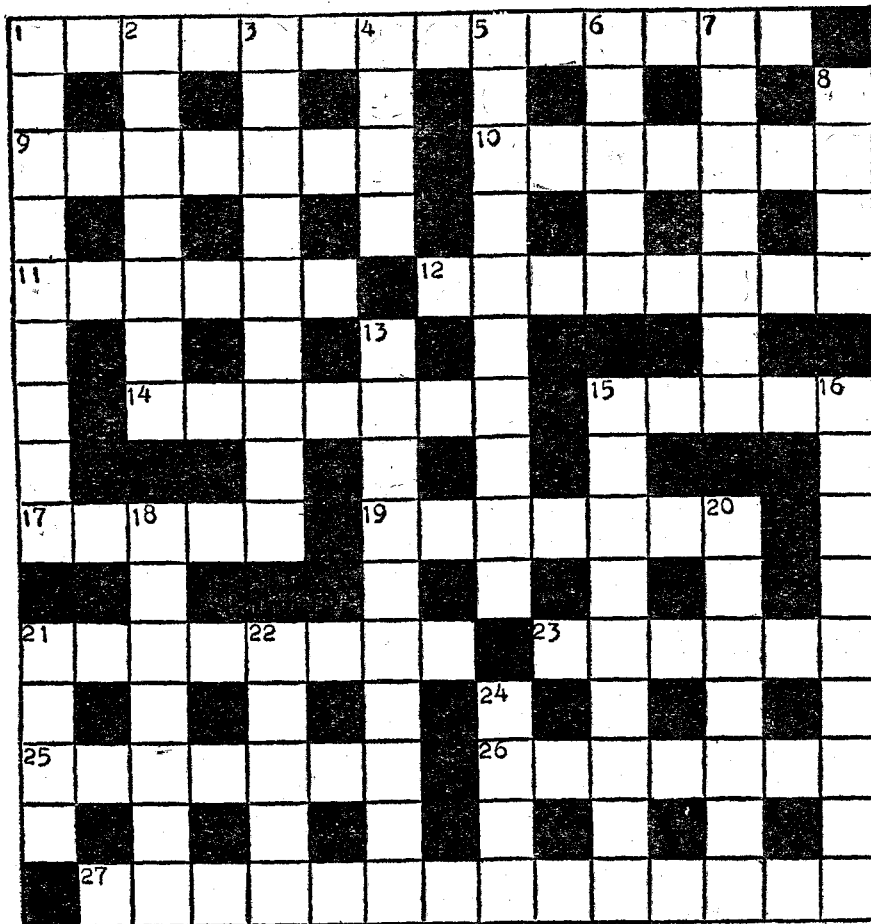
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Crossword Puzzle No. 415

BY FRANK W. LEWIS



ACROSS

- 1 See 16 down.
- 9 One might find interest in such matters as a coal pit. (7)
- 10 Called a chief municipal officer in the southwest. (7)
- 11 Did Odysseus make a monkey out of this Thracian ally of Troy? (6)
- 12 It's O. K. ---- evidently no one's left! (3, 5)
- 14 See 3 down.
- 15 Give ---- the cow does! (5)
- 17 Plane state. (5)
- 19 It returns to what was reputedly in the box a while ago. (7)
- 21 See 16 down.
- 23 Rather familiarly, a number of famous girls sound somewhat sour. (6)
- 25 A fine figure of a bird that's flown, by the sound of it! (7)
- 26 I own this joint, and can keep a sort of it under another name. (7)
27. It's not practical to be so superhuman. (14)

DOWN

- 1 The time of Hemingway's death. (9)
- 2 Stop to take out the wrinkles again. (7)
3. No 14 would strike such things. (9)
- 4 The girl of the unbeaten 26? (4)
- 5 Steady companion? (10)

- 6 Where to find mixed parentage? (5)
- 7 Globe I'd put much before, if thankful. (7)
- 8 The remainder take it easy. (4)
- 13 Locked up with a restorative on a slightly smaller scale, perhaps. (10)
- 15 Post imperative? (9)
- 16, 21 across, 1 across. The answer might be to put him in the scuppers with a hose-pipe on him (4, 5, 2, 2, 4, 1, 7, 6)
- 18 One who sells pumps, by the sound of it. (7)
- 20 If on the track, no switches; if on the ground, switches on either side, perhaps. (7)
- 21 Sides make this brush. (4)
- 22 One goes to sleep in France with this lit. (5)
- 24 Take a pair of horses for a short distance. (4)

SOLUTION TO PUZZLE No. 414

ACROSS:—1 BOBBYSOXER; 6 FIDO; 10 TALLY-HO; 11 PRATTLE; 12 IGOR; 13 OUT OF TOUCH; 15 GARLAND; 16 SUMATRA; 17 VALANCE; 20 COMPARE; 22 REFRACTORY; 23 KEEP; 25 GRINDER; 26 ITALIAN; 27 SAGE; 28 ASSEVERATE.
DOWN:—1 BATTING AVERAGES; 2 BALFOUR; 3 YOYO; 4 OROTUND; 5 EMPLOY; 7 IN TRUST; 8 OVERHEAD EXPENSE; 9 PANTOMIME; 14 BARNYARDS; 18 LUFFING; 19 EXTORTS; 20 CARBIDE; 21 AMERICA; 24 HALE.

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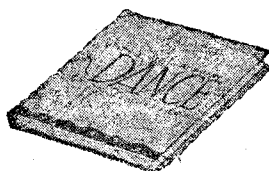
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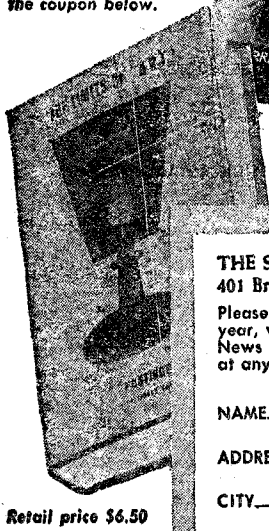
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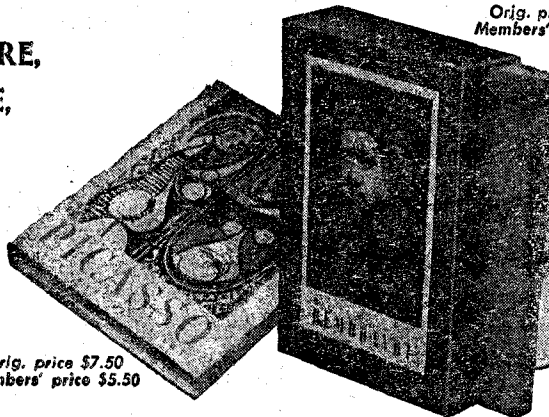


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